The City Council of the City of Raleigh met in a regular meeting on Tuesday, March 19, 1985, at 1:00 p.m., in the City Council Chamber of the Raleigh Municipal Building, 222 West Hargett Street, at with the following present:

Mayor Upchurch, Presiding
Mrs. Babb
Mrs. Block
Mr. Calloway
Mrs. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Mayor Upchurch called the meeting to order and invocation was rendered by the Reverend Murray Dehart, Associate Pastor of St. Mark's United Methodist Church, after which the following matters were discussed with action taken as shown.

RECOGNITION OF SPECIAL AWARDS

***CERTIFICATES OF APPOINTMENT - PRESENTATION MADE

Mayor Upchurch explained the presentation of Certificates of Appointment and made the following presentations: Appearance Commission - Ollie Adams; Arts Commission - Denise Parks Harper; Downtown Advisory Committee - Bill Phillips; Historic Properties Commission - Barri Wells and Mary Margaret Dixon; Telecommunications Commission - John Kinney, Jr. and Ron McCrimmon.

CONSENT AGENDA

***CONSENT AGENDA - APPROVAL AS AMENDED

Mayor Upchurch presented the Consent Agenda indicating all items are considered to be routine and may be enacted by one motion. If a Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. The vote on the Consent Agenda will be a roll call vote. Mr. Calloway requested that the Fair Housing Assistance Grant be withdrawn. Without objection, that item was withdrawn. Mr. Congleton moved Administration's recommendation on the remaining items on the Consent Agenda be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Consent Agenda were as follows:

***PRIVILEGE LICENSE - MASSEUSE LICENSE - APPROVED

This is an application for a masseuse license requiring City Council approval under City Code Section 12-2136. The applicant's name is Deborah Burns Green. She will be conducting her business at Healthways, located at 113 West Hargett Street. The Police report indicates approval.

Recommendation: Approval of this business license is recommended. Consent Agenda approval: Congleton/Calloway - 8 ayes.

***PLANNING - TOPOGRAPHIC/PLANIMETRIC BASE MAP SERVICE - BID AWARDED TO LANDMARK ENGINEERING

Proposals have been received to provide mapping services as budgeted in FY 84-85. The proposals are listed below:

Mark Hurd	$35,750.00
Greenhorne and O'Mara	32,200.00
Landmark Engineering	22,050.00

Recommendation: That the topographic map contract be awarded to Landmark Engineering. Consent Agenda approval: Congleton/Calloway - 8 ayes.

***OPTIMIST POOL - VARIOUS SWIM MEETS - USE AUTHORIZED

At its February 27, 1985 meeting, the Parks and Recreation Advisory Board concurred with the following swim meets to be held this summer at Optimist Pool:

June 21 through June 23 - Capital City Invitational Swim Meet sponsored by the Tarheel Aqua Racers (three days).

July 28 - Tarheel Aqua Racers Swim Association Meet (one day).

These events will require closing of the pool for general public use.

Recommendation: That the Council approve closing Optimist Pool to general use for four days as proposed. Consent Agenda approval: Congleton/Calloway - 8 ayes.

***400TH ANNIVERSARY - AD TO PROMOTE CITY - APPROVED - FUNDS APPROPRIATED

In July, 1985, The News and Observer plans to publish a special edition to salute the 400th Anniversary. It is suggested that the City participate by purchasing a onehalf page ad to promote the City and its role as the Capital City of the State. The cost of this advertisement would be $2,600.

Recommendation: That the City Council authorize a transfer of $2,600 from Contingency to the Printing Account in the Public Affairs Division to provide for the promotional ad. Consent Agenda approval: Congleton/Calloway - 8 ayes.

ORDINANCE NO. (1985) 517 TF 18

WHEREAS, it appears desireable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 19, 1984, and included in the budget for the fiscal year ending June 30, 1985, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-0001	Contingency	$ 2,600.00
To 01-2-1130-0221	Printing	2,600.00
Purpose: News and Observer Special 400th edition.		
From 32-2-1000-0100	Council Reserve	$ 2,000.00
To 32-2-4486-0104	PW 1984-85 Misc.	2,000.00
Purpose: To set up account for advertising and asphalt testing - Street Resurfacing.		
From 34-2-3810-0170	Municipal Parking Meters	$13,495.65
From 37-2-1600-0110	Shelley-Sertoma Basketball Slab	14,500.00
To 32-2-4495-0101	PW 1983-1	27,995.65
Purpose: Change Order - PW 1983-1 C. C. Mangum, Inc. - #2.		
From 32-2-3100-0100	Spring Forest Road	$ 8,270.00
To 32-2-3012-0101	PW 1983-7	8,270.00
Purpose: Change Order - Spring Forest Rd. & Atlantic Avenue Bridge Construction PW 1983-7 - C. C. Mangum, #2.		
From 38-2-2030-0104	Lake Johnson E-Pool-D	$ 6,837.00
To 38-2-2030-0205	Lake Johnson Plumbing	6,837.00
Purpose: Change Order - P-2, AAA Electric Company, Inc.		
From 38-2-2030-0205	Lake Johnson Plumbing	$ 1,570.00
To 38-2-2030-0104	Lake Johnson E Pool-D	1,570.00
Purpose: P-1, AAA Electric Company, Inc.		
From 37-2-1081-0101	Roof Repairs	$ 2,000.00
To 37-2-1081-0100	Roof Repairs	2,000.00
Purpose: Change Order - Deans Roofing Company, G-1.		
From 02-2-1630-0312	Grassroots - Easy Moving	$ 3,200.00
To 02-2-1630-0314	Ral. Arts Commission	3,200.00
Purpose: Grant to Easy Moving Company was turned down - funds transferred to Arts Commission account and are being reserved for "opportunity funding".		
From 01-2-1040-0001	Contingency	$ 1,500.00
To 01-2-1100-0265	Other Services	1,500.00
Purpose: For expenses incurred with the Bond Rating review.		
From 01-2-1040-0001	Contingency	$ 5,000.00
To 01-2-1080-0301	Promotions	5,000.00
Purpose: To provide funds for the remainder for FY.		
From 01-2-1240-0261	Abatements	$ 2,500.00
To 01-2-1240-0254	Unsafe Structures	2,500.00
Purpose: Demolish unsafe structures as approved by Council.		
From 38-2-3040-0100	Green Road	$ 1,151.25
To 38-2-3040-0104	Green Road D	1,151.25
Purpose: Additional tests for Green Road Center.		
From 06-2-7100-0002	Utilities Contingency	$15,000.00
To 06-207010-0228	Telephone	15,000.00
Purpose: To provide funds for remainder of fiscal year.		
From 01-2-5020-0617	Leaf Machines	$ 1,150.00
To 01-2-5020-0219	Power & Light	1,150.00
Purpose: Provide funds to operate remainder fiscal year.		

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 34-2-3805-0102	Mun. Block "B"	$ 2,500.00
To 34-2-3810-0102	Parking Deck "B"	2,500.00
Purpose: Insuring coverage of balance of architect engineer fees.		
From 01-2-5050-0219	Power & Light	$15,000.00
From 01-2-5020-0245	Road Materials	35,000.00
From 01-2-1040-0001	Contingency	36,900.00
To 01-2-5050-0228	Telephone	86,900.00
Purpose: Provide funds for remainder of fiscal year end continue maintenance contract on telephone system.		
From 34-2-3805-0102	Municipal Block "B"	$ 3,603.10
To 34-2-3805-0110	Mun. Bldg. Landscape	3,603.10
Purpose: Providing funds for purchase of additional open office panels/equipment.		
From 42-2-7000-0701	Automobile	$ 1,650.00
To 42-2-7000-0102	Arch. fee for Design Paint Booth	1,650.00
Purpose: To cover additional cost of contract for Architectural fee for design of Paint Booth.		
From 34-2-1000-0100	Council Reserve	$ 1,650.00
To 43-2-5050-0100	Econ. Dev.	1,650.00
Purpose: Reimburse CD budget for demolitions performed prior to release of Environmental Conditions from HUD.		

***ROAD RACES - RALEIGH MINI-TRIATHLON AND CAPITAL CITY CRITERIUM BICYCLE RACE - APPROVED WITH CONDITIONS

Administration has received from Mr. Jerry Leonard, representing the Raleigh Mini-Triathlon Committee, a request to conduct a triathlon (swimming, running, and biking event) on Saturday, June 8, 1985, commencing at 7:30 a.m. The planned route is the same as the past two years. The swimming will be at Silver Lake; the bike course is from Silver Lake on Holly Springs Road, to Avent Ferry Road, to Faucette Drive, Jackson, Method; Beryl, Powell, Melbourne, Kaplan, Pineview, Avent Ferry, then return to Silver Lake; and the running is 3.1 miles along Avent Ferry Road.

Recommendation: Administration recommends approval of this event and the race being held on City streets subject to the sponsors providing 150 traffic cones and providing they also employ twenty-two off-duty police officers and one supervisor for traffic control.

A request has been received from Mr. Robert Ray, Carolina Velo Club, for permission to conduct the annual bicycle race on Sunday, April 28, 1985, by utilizing streets in the State Office Complex. This race has been conducted without difficulty for several years on portions of Salisbury Street, Jones Street, Blount Street, Lane Street, and Wilmington Street between Jones Street and Peace Street. Mr. Ray has made contact with the Visitor's Center and assured access to their facility and to the Museum of History.

Recommendation: Administration recommends approval of this race being conducted as planned subject to the sponsors employing four off-duty police officers for security and point control and providing they provide, install, and remove the necessary signs, barricades, and cones. Consent Agenda approval: Congleton/Calloway: 8 ayes.

***TAXICAB OWNER'S PERMITS - APPROVED ON SECOND AND FINAL READING

During the March 5, 1985, Council Meeting, the following applications for taxicab owner's permits were approved. Applications have been received from the following to operate a taxi.

Michael Howard Palmer, Ebony Cab Company
(New Individual Owner's Permit)

Noah William Monk, Ebony Cab Company
(New Individual Owner's Permit)

Recommendation: That the Council approve the applications for taxicab owner's permits on a second and final reading. Consent Agenda approval: Congleton/Calloway: 8 ayes.

***TAXICAB OWNER'S PERMITS - APPROVED ON FIRST READING - TO BE PLACED ON 4/2/85 AGENDA

Applications have been received from the following to operate a taxi. The applications have been checked and meet the requirements of Section 12-2053 of the City Code:

Marvenia Marion Page, American Cab Company
(New Individual Owner's Permit)

William Henry Jones, Rainbow Cab Company
(New Individual Owner's Permit)

Recommendation: Approval is recommended with the understanding that these applications will be placed on the April 2, 1985, Agenda for second and final consideration. Consent Agenda approval: Congleton/Calloway: 8 ayes.

***BUDGET AMENDMENTS - VARIOUS DEPARTMENTS - ORDINANCE ADOPTED

The Agenda presented a budget amendment in the amount of $20,000 in the Finance Department to provide funds to pay bond sale expenses which are arriving on the $4,190,000 parking facilities bond issue. The bonds were sold March 12, 1985. A budget amendment in the amount of $1,400 to appropriate the collection of the monetary penalties received for failure to correct violations of soil erosion and sedimentation measures was presented. Amendments in the amount of $12,000 relating to Optimist Pool and $4,000 relating to Martin Pool was presented. These two proposed budget amendments are to increase the amount to buy food for resale to the public at these facilities. An amendment in the Planning Department in the amount of $3,250 to receive contributions and allow for expenditure of these funds for Appearance Commission projects was also presented.

Recommendation: That the budget amendments as outlined be approved. Consent Agenda approval: Congleton/Calloway: 8 ayes.

ORDINANCE NO. (1985) 516

AN ORDINANCE TO AMEND THE 1984/1985 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1984/1985 Budget be amended as follows to provide funds to pay bond sale expenses which are arriving on $4,190,000 parking facilities bond issue:

Revenue:	44-1-0000-0100	Bond Proceeds	$20,000.00
Expense:	44-2-0000-0200	Bond Expense	$20,000.00

Section 2. That the 1984/1985 Budget be amended as follows to appropriate the collection of the monetary penalties received for failure to correct violations of soil erosion and sedimentation measures as stated in Section 10-5013:

Revenue:	01-1-0070-0200	Misc. Account	$1,400.00
Expense:	01-2-1240-0231	Travel Expense	$1,400.00

Section 3. That the 1984/1985 Budget be amended as follows to increase account to buy food for resale to the public:

Revenue:	18-1-0070-0240	Optimist Pool	$12,000.00
Expense:	18-2-0500-0270	Food for Resale	$12,000.00

Section 4. That the 1984/1985 Budget be amended as follows to increase account to buy food for resale to public:

Revenue:	18-1-0070-0208	Martin Pool	$4,000.00
Expense:	18-2-0510-0270	Food for Resale	$4,000.00

Section 5. That the 1984/1985 Budget be amended as follows to receive contributions and to allow for expenditure of these funds for Appearance Commission projects:

Revenue:	19-1-2500-0001	Appearance Comm.	$1,000.00
	19-1-2500-0220	Contrib. Prior Year's Reserve	
Expense:	19-2-2500-0265	Landscaping Mater. & Serv.	$3,250.00

Adopted: 3/19/85

***PW 1984 - 85 - STREET RESURFACING - ADDITIONAL FUNDS APPROPRIATED

It was pointed out during the March 5, 1985 Council Meeting, PW 1984, the Street Resurfacing Contract was approved. It was pointed out there is a need to transfer $2,000 from Council Reserve to set up an account for advertising and asphalt testing is needed.

Recommendation: Administration recommends approval of the Capital Fund item as outlined. Consent Agenda approval: Congleton/Calloway: 8 ayes.

ORDINANCE NO. (1985) 517 TF 18

WHEREAS, it appears desireable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 19, 1984, and

included in the budget for the fiscal year ending June 30, 1985, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-0001	Contingency	$ 2,600.00
To 01-2-1130-0221	Printing	2,600.00
Purpose: News and Observer Special 400th edition.		
From 32-2-1000-0100	Council Reserve	$ 2,000.00
To 32-2-4486-0104	PW 1984-85 Misc.	2,000.00
Purpose: To set up account for advertising and asphalt testing - Street Resurfacing.		
From 34-2-3810-0170	Municipal Parking Meters	$13,495.65
From 37-2-1600-0110	Shelley-Sertoma Basketball Slab	14,500.00
To 32-2-4495-0101	PW 1983-1	27,995.65
Purpose: Change Order - PW 1983-1 C. C. Mangum, Inc. - #2.		
From 32-2-3100-0100	Spring Forest Road	$ 8,270.00
To 32-2-3012-0101	PW 1983-7	8,270.00
Purpose: Change Order - Spring Forest Rd. & Atlantic Avenue Bridge Construction PW 1983-7 - C. C. Mangum, #2.		
From 38-2-2030-0104	Lake Johnson E-Pool-D	$ 6,837.00
To 38-2-2030-0205	Lake Johnson Plumbing	6,837.00
Purpose: Change Order - P-2, AAA Electric Company, Inc.		
From 38-2-2030-0205	Lake Johnson Plumbing	$ 1,570.00
To 38-2-2030-0104	Lake Johnson E Pool-D	1,570.00
Purpose: P-1, AAA Electric Company, Inc.		
From 37-2-1081-0101	Roof Repairs	$ 2,000.00
To 37-2-1081-0100	Roof Repairs	2,000.00
Purpose: Change Order - Deans Roofing Company, G-1.		
From 02-2-1630-0312	Grassroots - Easy Moving	$ 3,200.00
To 02-2-1630-0314	Ral. Arts Commission	3,200.00
Purpose: Grant to Easy Moving Company was turned down - funds transferred to Arts Commission account and are being reserved for "opportunity funding".		
From 01-2-1040-0001	Contingency	$ 1,500.00
To 01-2-1100-0265	Other Services	1,500.00
Purpose: For expenses incurred with the Bond Rating review.		
From 01-2-1040-0001	Contingency	$ 5,000.00
To 01-2-1080-0301	Promotions	5,000.00
Purpose: To provide funds for the remainder for FY.		
From 01-2-1240-0261	Abatements	$ 2,500.00
To 01-2-1240-0254	Unsafe Structures	2,500.00
Purpose: Demolish unsafe structures as approved by Council.		
From 38-2-3040-0100	Green Road	$ 1,151.25
To 38-2-3040-0104	Green Road D	1,151.25
Purpose: Additional tests for Green Road Center.		
From 06-2-7100-0002	Utilities Contingency	$15,000.00
To 06-207010-0228	Telephone	15,000.00
Purpose: To provide funds for remainder of fiscal year.		
From 01-2-5020-0617	Leaf Machines	$ 1,150.00
To 01-2-5020-0219	Power & Light	1,150.00
Purpose: Provide funds to operate remainder fiscal year.		
From 34-2-3805-0102	Mun. Block "B"	$ 2,500.00
To 34-2-3810-0102	Parking Deck "B"	2,500.00
Purpose: Insuring coverage of balance of architect engineer fees.		
From 01-2-5050-0219	Power & Light	$15,000.00
From 01-2-5020-0245	Road Materials	35,000.00
From 01-2-1040-0001	Contingency	36,900.00
To 01-2-5050-0228	Telephone	86,900.00
Purpose: Provide funds for remainder of fiscal year end continue maintenance contract on telephone system.		
From 34-2-3805-0102	Municipal Block "B"	$ 3,603.10
To 34-2-3805-0110	Mun. Bldg. Landscape	3,603.10
Purpose: Providing funds for purchase of additional open office panels/equipment.		

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 42-2-7000-0701	Automobile	$ 1,650.00
To 42-2-7000-0102	Arch. fee for Design Paint Booth	1,650.00

Purpose: To cover additional cost of contract for Architectural fee for design of Paint Booth.

From 34-2-1000-0100	Council Reserve	$ 1,650.00
To 43-2-5050-0100	Econ. Dev.	1,650.00

Purpose: Reimburse CD budget for demolitions performed prior to release of Environmental Conditions from HUD.

***PW 1983-1 - ANNUAL STREET CONSTRUCTION - CHANGE ORDER #2 APPROVED

Change Order #2 - C. C. Mangum, Inc. - P.W. 1983-1 was presented. The change order is for an addition of $27,995.65. The reason for the change order is to reinforce the basketball slab at Shelley-Sertoma Park and install sidewalks at the Municipal Building. The Agenda outlined the code accounts that should be amended.

Recommendation: Administration recommends approval of the change order and transfers as outlined. Consent Agenda approval: Congleton/Calloway: 8 ayes.

ORDINANCE NO. (1985) 517 TF 18

WHEREAS, it appears desireable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 19, 1984, and included in the budget for the fiscal year ending June 30, 1985, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-0001	Contingency	$ 2,600.00
To 01-2-1130-0221	Printing	2,600.00

Purpose: News and Observer Special 400th edition.

From 32-2-1000-0100	Council Reserve	$ 2,000.00
To 32-2-4486-0104	PW 1984-85 Misc.	2,000.00

Purpose: To set up account for advertising and asphalt testing - Street Resurfacing.

From 34-2-3810-0170	Municipal Parking Meters	$13,495.65
From 37-2-1600-0110	Shelley-Sertoma Basketball Slab	14,500.00
To 32-2-4495-0101	PW 1983-1	27,995.65

Purpose: Change Order - PW 1983-1 C. C. Mangum, Inc. - #2.

From 32-2-3100-0100	Spring Forest Road	$ 8,270.00
To 32-2-3012-0101	PW 1983-7	8,270.00

Purpose: Change Order - Spring Forest Rd. & Atlantic Avenue Bridge Construction PW 1983-7 - C. C. Mangum, #2.

From 38-2-2030-0104	Lake Johnson E-Pool-D	$ 6,837.00
To 38-2-2030-0205	Lake Johnson Plumbing	6,837.00

Purpose: Change Order - P-2, AAA Electric Company, Inc.

From 38-2-2030-0205	Lake Johnson Plumbing	$ 1,570.00
To 38-2-2030-0104	Lake Johnson E Pool-D	1,570.00

Purpose: P-1, AAA Electric Company, Inc.

From 37-2-1081-0101	Roof Repairs	$ 2,000.00
To 37-2-1081-0100	Roof Repairs	2,000.00

Purpose: Change Order - Deans Roofing Company, G-1.

From 02-2-1630-0312	Grassroots - Easy Moving	$ 3,200.00
To 02-2-1630-0314	Ral. Arts Commission	3,200.00

Purpose: Grant to Easy Moving Company was turned down - funds transferred to Arts Commission account and are being reserved for "opportunity funding".

From 01-2-1040-0001	Contingency	$ 1,500.00
To 01-2-1100-0265	Other Services	1,500.00

Purpose: For expenses incurred with the Bond Rating review.

From 01-2-1040-0001	Contingency	$ 5,000.00
To 01-2-1080-0301	Promotions	5,000.00

Purpose: To provide funds for the remainder for FY.

From 01-2-1240-0261	Abatements	$ 2,500.00
To 01-2-1240-0254	Unsafe Structures	2,500.00

Purpose: Demolish unsafe structures as approved by Council.

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 38-2-3040-0100	Green Road	$ 1,151.25
To 38-2-3040-0104	Green Road D	1,151.25
Purpose: Additional tests for Green Road Center.		
From 06-2-7100-0002	Utilities Contingency	$15,000.00
To 06-207010-0228	Telephone	15,000.00
Purpose: To provide funds for remainder of fiscal year.		
From 01-2-5020-0617	Leaf Machines	$ 1,150.00
To 01-2-5020-0219	Power & Light	1,150.00
Purpose: Provide funds to operate remainder fiscal year.		
From 34-2-3805-0102	Mun. Block "B"	$ 2,500.00
To 34-2-3810-0102	Parking Deck "B"	2,500.00
Purpose: Insuring coverage of balance of architect engineer fees.		
From 01-2-5050-0219	Power & Light	$15,000.00
From 01-2-5020-0245	Road Materials	35,000.00
From 01-2-1040-0001	Contingency	36,900.00
To 01-2-5050-0228	Telephone	86,900.00
Purpose: Provide funds for remainder of fiscal year end continue maintenance contract on telephone system.		
From 34-2-3805-0102	Municipal Block "B"	$ 3,603.10
To 34-2-3805-0110	Mun. Bldg. Landscape	3,603.10
Purpose: Providing funds for purchase of additional open office panels/equipment.		
From 42-2-7000-0701	Automobile	$ 1,650.00
To 42-2-7000-0102	Arch. fee for Design Paint Booth	1,650.00
Purpose: To cover additional cost of contract for Architectural fee for design of Paint Booth.		
From 34-2-1000-0100	Council Reserve	$ 1,650.00
To 43-2-5050-0100	Econ. Dev.	1,650.00
Purpose: Reimburse CD budget for demolitions performed prior to release of Environmental Conditions from HUD.		

***P.W. 1983-7 - SPRING FOREST ROAD/ATLANTIC AVENUE BRIDGE - CHANGE ORDER APPROVED

Change order number 2 - C.C. Mangum, Inc. - P.W. 1983-7 was presented. This is an addition of $8,270 and is needed to cover an anticipated undercurrent excavation. The Agenda outlined the code accounts that need to be amended.

Recommendation: Administration recommends approval of the change order and transfer as outlined. Consent Agenda approval: Congleton/Calloway: 8 ayes.

***LAKE JOHNSON POOL - Change Order #P-1 AND P-2 - APPROVED

The Agenda presented change order P-1 - AAA Electric Company, Inc. which is a deduction of $1,570. P-2 with the same company is in addition of $6,837. The Agenda outlined the reasons for the two change orders and the budget accounts that should be amended if the change orders are approved.

Recommendation: Administration recommends approval of the change orders and transfers as outlined. Consent Agenda approval: Congleton/Calloway: 8 ayes.

ORDINANCE NO. (1985) 517 TF 18

WHEREAS, it appears desireable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 19, 1984, and included in the budget for the fiscal year ending June 30, 1985, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-0001	Contingency	$ 2,600.00
To 01-2-1130-0221	Printing	2,600.00
Purpose: News and Observer Special 400th edition.		
From 32-2-1000-0100	Council Reserve	$ 2,000.00
To 32-2-4486-0104	PW 1984-85 Misc.	2,000.00
Purpose: To set up account for advertising and asphalt testing - Street Resurfacing.		

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 34-2-3810-0170	Municipal Parking Meters	$13,495.65
From 37-2-1600-0110	Shelley-Sertoma Basketball Slab	14,500.00
To 32-2-4495-0101	PW 1983-1	27,995.65
Purpose: Change Order - PW 1983-1 C. C. Mangum, Inc. - #2.		
From 32-2-3100-0100	Spring Forest Road	$ 8,270.00
To 32-2-3012-0101	PW 1983-7	8,270.00
Purpose: Change Order - Spring Forest Rd. & Atlantic Avenue Bridge Construction PW 1983-7 - C. C. Mangum, #2.		
From 38-2-2030-0104	Lake Johnson E-Pool-D	$ 6,837.00
To 38-2-2030-0205	Lake Johnson Plumbing	6,837.00
Purpose: Change Order - P-2, AAA Electric Company, Inc.		
From 38-2-2030-0205	Lake Johnson Plumbing	$ 1,570.00
To 38-2-2030-0104	Lake Johnson E Pool-D	1,570.00
Purpose: P-1, AAA Electric Company, Inc.		
From 37-2-1081-0101	Roof Repairs	$ 2,000.00
To 37-2-1081-0100	Roof Repairs	2,000.00
Purpose: Change Order - Deans Roofing Company, G-1.		
From 02-2-1630-0312	Grassroots - Easy Moving	$ 3,200.00
To 02-2-1630-0314	Ral. Arts Commission	3,200.00
Purpose: Grant to Easy Moving Company was turned down - funds transferred to Arts Commission account and are being reserved for "opportunity funding".		
From 01-2-1040-0001	Contingency	$ 1,500.00
To 01-2-1100-0265	Other Services	1,500.00
Purpose: For expenses incurred with the Bond Rating review.		
From 01-2-1040-0001	Contingency	$ 5,000.00
To 01-2-1080-0301	Promotions	5,000.00
Purpose: To provide funds for the remainder for FY.		
From 01-2-1240-0261	Abatements	$ 2,500.00
To 01-2-1240-0254	Unsafe Structures	2,500.00
Purpose: Demolish unsafe structures as approved by Council.		
From 38-2-3040-0100	Green Road	$ 1,151.25
To 38-2-3040-0104	Green Road D	1,151.25
Purpose: Additional tests for Green Road Center.		
From 06-2-7100-0002	Utilities Contingency	$15,000.00
To 06-207010-0228	Telephone	15,000.00
Purpose: To provide funds for remainder of fiscal year.		
From 01-2-5020-0617	Leaf Machines	$ 1,150.00
To 01-2-5020-0219	Power & Light	1,150.00
Purpose: Provide funds to operate remainder fiscal year.		
From 34-2-3805-0102	Mun. Block "B"	$ 2,500.00
To 34-2-3810-0102	Parking Deck "B"	2,500.00
Purpose: Insuring coverage of balance of architect engineer fees.		
From 01-2-5050-0219	Power & Light	$15,000.00
From 01-2-5020-0245	Road Materials	35,000.00
From 01-2-1040-0001	Contingency	36,900.00
To 01-2-5050-0228	Telephone	86,900.00
Purpose: Provide funds for remainder of fiscal year end continue maintenance contract on telephone system.		
From 34-2-3805-0102	Municipal Block "B"	$ 3,603.10
To 34-2-3805-0110	Mun. Bldg. Landscape	3,603.10
Purpose: Providing funds for purchase of additional open office panels/equipment.		
From 42-2-7000-0701	Automobile	$ 1,650.00
To 42-2-7000-0102	Arch. fee for Design Paint Booth	1,650.00
Purpose: To cover additional cost of contract for Architectural fee for design of Paint Booth.		
From 34-2-1000-0100	Council Reserve	$ 1,650.00
To 43-2-5050-0100	Econ. Dev.	1,650.00
Purpose: Reimburse CD budget for demolitions performed prior to release of Environmental Conditions from HUD.		

***ROOF REPAIRS - CHANGE ORDER #G-1 - DEANS ROOFING COMPANY - APPROVED

This change order is for a deduction of $2,000 and relates to the installation of AWA plan roof in lieu of the EPDM. The Agenda outlined the code accounts that should be amended.

Recommendation:

Administration recommends approval of the change order and budget transfers as outlined. Consent Agenda approval: Congleton/Calloway: 8 ayes.

***TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTIONS CONCURRED WITH

Council Members received in their Agenda packet a list of administrative transfers which have been authorized according to Council procedure. The transfers were as follows:

FROM	TO	AMOUNT
01-2-1010-0700	01-2-1010-0260	$204.87
01-2-1010-0231	01-2-1010-0260	$300.00
01-2-5020-0617	01-2-5050-0704	$120.00
01-2-6000-0226	01-2-6000-0260	$300.00
01-2-1090-0260	01-2-1090-0704	$ 24.00
01-2-3010-0265	01-2-3010-0236	$500.00
01-2-1160-0226	01-2-1160-0260	$ 60.00
18-2-0700-0261	18-2-0700-0600	$200.00
19-2-8130-0554	19-2-8130-0260	$500.00
37-2-9035-0100	37-2-9035-0104	$800.00

Recommendation: Concurrence with the Manager's action on the Administrative transfers is recommended. Consent Agenda approval: Congleton/Calloway: 8 ayes.

***TRANSFERS - VARIOUS DEPARTMENTS - ORDINANCE ADOPTED

The Agenda presented a list of recommended transfers in the offices of the City Manager, Civic Center, Inspections, Parks and Recreation, Public Utilities, Public Works and Transportation Department. The Agenda outlined the code accounts that would be affected as well as the reason for the needed transfers.

Recommendation: Administration recommends approval of the transfers as presented. Consent Agenda approval: Congleton/Calloway: 8 ayes.

ORDINANCE NO. (1985) 517 TF 18

WHEREAS, it appears desireable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 19, 1984, and included in the budget for the fiscal year ending June 30, 1985, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-0001	Contingency	$ 2,600.00
To 01-2-1130-0221	Printing	2,600.00
Purpose: News and Observer Special 400th edition.		
From 32-2-1000-0100	Council Reserve	$ 2,000.00
To 32-2-4486-0104	PW 1984-85 Misc.	2,000.00
Purpose: To set up account for advertising and asphalt testing - Street Resurfacing.		
From 34-2-3810-0170	Municipal Parking Meters	$13,495.65
From 37-2-1600-0110	Shelley-Sertoma Basketball Slab	14,500.00
To 32-2-4495-0101	PW 1983-1	27,995.65
Purpose: Change Order - PW 1983-1 C. C. Mangum, Inc. - #2.		
From 32-2-3100-0100	Spring Forest Road	$ 8,270.00
To 32-2-3012-0101	PW 1983-7	8,270.00
Purpose: Change Order - Spring Forest Rd. & Atlantic Avenue Bridge Construction PW 1983-7 - C. C. Mangum, #2.		
From 38-2-2030-0104	Lake Johnson E-Pool-D	$ 6,837.00
To 38-2-2030-0205	Lake Johnson Plumbing	6,837.00
Purpose: Change Order - P-2, AAA Electric Company, Inc.		
From 38-2-2030-0205	Lake Johnson Plumbing	$ 1,570.00
To 38-2-2030-0104	Lake Johnson E Pool-D	1,570.00
Purpose: P-1, AAA Electric Company, Inc.		
From 37-2-1081-0101	Roof Repairs	$ 2,000.00
To 37-2-1081-0100	Roof Repairs	2,000.00
Purpose: Change Order - Deans Roofing Company, G-1.		

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 02-2-1630-0312	Grassroots - Easy Moving	$ 3,200.00
To 02-2-1630-0314	Ral. Arts Commission	3,200.00

Purpose: Grant to Easy Moving Company was turned down - funds transferred to Arts Commission account and are being reserved for "opportunity funding".

From 01-2-1040-0001	Contingency	$ 1,500.00
To 01-2-1100-0265	Other Services	1,500.00

Purpose: For expenses incurred with the Bond Rating review.

From 01-2-1040-0001	Contingency	$ 5,000.00
To 01-2-1080-0301	Promotions	5,000.00

Purpose: To provide funds for the remainder for FY.

From 01-2-1240-0261	Abatements	$ 2,500.00
To 01-2-1240-0254	Unsafe Structures	2,500.00

Purpose: Demolish unsafe structures as approved by Council.

From 38-2-3040-0100	Green Road	$ 1,151.25
To 38-2-3040-0104	Green Road D	1,151.25

Purpose: Additional tests for Green Road Center.

From 06-2-7100-0002	Utilities Contingency	$15,000.00
To 06-207010-0228	Telephone	15,000.00

Purpose: To provide funds for remainder of fiscal year.

From 01-2-5020-0617	Leaf Machines	$ 1,150.00
To 01-2-5020-0219	Power & Light	1,150.00

Purpose: Provide funds to operate remainder fiscal year.

From 34-2-3805-0102	Mun. Block "B"	$ 2,500.00
To 34-2-3810-0102	Parking Deck "B"	2,500.00

Purpose: Insuring coverage of balance of architect engineer fees.

From 01-2-5050-0219	Power & Light	$15,000.00
From 01-2-5020-0245	Road Materials	35,000.00
From 01-2-1040-0001	Contingency	36,900.00
To 01-2-5050-0228	Telephone	86,900.00

Purpose: Provide funds for remainder of fiscal year end continue maintenance contract on telephone system.

From 34-2-3805-0102	Municipal Block "B"	$ 3,603.10
To 34-2-3805-0110	Mun. Bldg. Landscape	3,603.10

Purpose: Providing funds for purchase of additional open office panels/equipment.

From 42-2-7000-0701	Automobile	$ 1,650.00
To 42-2-7000-0102	Arch. fee for Design Paint Booth	1,650.00

Purpose: To cover additional cost of contract for Architectural fee for design of Paint Booth.

From 34-2-1000-0100	Council Reserve	$ 1,650.00
To 43-2-5050-0100	Econ. Dev.	1,650.00

Purpose: Reimburse CD budget for demolitions performed prior to release of Environmental Conditions from HUD.

***TRAFFIC - VARIOUS CHANGES - ORDINANCE ADOPTED

The Agenda presented recommended changes in the traffic code relating to changing a yield sign to a stop sign on Cowper Drive and Glen Avenue. No parking on portions of Fairview Road and Hodges Street as well as through street designation for Volant Drive.

Recommendation: Administration recommends approval of the traffic changes as outlined. Consent Agenda approval: Congleton/Calloway: 8 ayes.

ORDINANCE NO. (1985) 518

AN ORDINANCE TO AMEND THE CITY OF RALEIGH TRAFFIC SCHEDULE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 2 entitled "STOP SIGNS" be amended by adding the following:

Glen Avenue at Cowper Drive

Section 2. That Traffic Schedule No. 3 entitled "YIELD SIGNS" be amended by deleting the following:

Glen Avenue at Cowper Drive

Section 3. That Traffic Schedule No. 13 entitled "NO PARKING" be amended by adding the following:

Fairview Road, north side, from Oberlin Road westward 150 feet
Hodges Street, both sides, from Atlantic Avenue eastward 60 feet

Section 4. That Traffic Schedule 4 entitled "THROUGH STREETS" be amended by adding the following:

Volant Drive from Falls Church Road to Spring Forest Road

Section 5. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. That this ordinance shall become effective March 26, 1985.

Adopted: 3/19/85

END OF CONSENT AGENDA

***FAIR HOUSING ASSISTANCE GRANTS - BUDGET AMENDMENT AUTHORIZED

The City is participating in the HUD-sponsored Fair Housing Assistance Program. This program provides payment to the City of $500 per complaint investigated and $1,300 for participation in the program. Prior to the end of FY 84-85, the City should receive $3,300.

Recommendation: That an appropriate budget amendment be approved to indicate the additional revenues to be received of $3,300 and the expenditure of the following amounts for:

Travel	$ 300.00
Supplies	500.00
Equipment	2,500.00
Total	$3,300.00

Mr. Calloway questioned if this means that four cases were handled and if this is about the usual work load. City Manager Benton indicated it is his understanding that this is about the average number of cases. Mr. Calloway moved Administration's recommendation be upheld. His motion was seconded by Ms. Cates and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 515

AN ORDINANCE TO AMEND THE 1984/1985 FAIR HOUSING GRANT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1984/1985 Fair Housing Grant be amended as follows to increase the 84-85 appropriation for the fourth year of participation in the Fair Housing Assistance Program:

Revenue:	02-1-2030-0100	HUD-Fair Housing	$ 3,300.00
Expense:	02-2-2030-0000	Fourth Year-Fair Housing	$ -0-
	02-2-2030-0231	Travel	300.00
	02-2-2030-0260	Supplies	500.00
	02-2-2030-0700	Equipment	2,500.00

Adopted: 3/19/85

REQUESTS AND PETITIONS OF CITIZENS

***ANIMAL CONTROL ORDINANCE - AS IT RELATES TO CATS - SUGGESTIONS MADE AND REFERRED TO ADMINISTRATION

Susan Sumer, 327 East Jones Street, indicated she was very pleased when the ordinance was passed and started being inforced relative to cats having to have inoculation for rabies and wearing tags. She indicated, however, she feels that the ordinance is a little strong or enforced wrong. She pointed out her cat was picked up in front of her home and was properly tagged, etc. She indicated after several days, she found that her cat had been taken to the SPCA but they had not notified her as they said they could not contact her through the tag book. She indicated she had called the City and was told that her name was listed and the SPCA should have been able to contact her. She stated in addition she had learned that the SPCA keeps cats only five days, but has later found that they usually keep tagged animals a little longer.

She explained she was upset that the SPCA did not try to contact her. She stated in addition she had called the Humane Officer who picked her cat up four times and asked that her call be returned, but until now it has not been returned. She stated she was trying to determine why her cat was picked up. She explained her cat does not go out of the yard; therefore, she feels that the cat was either picked up in the yard or on the sidewalk. She indicated the purpose of the ordinance she feels is good; however, as she feels that stray untagged cats should be picked up but she does not feel that they will be as cats are hard to catch. She pointed out, however, she has a very tame cat who will come to you when called. Therefore, people like her will be hurt. She suggesting changing the leash law whereby cats that have been neutered would not have to be on a leash but unneutered cats would be. She suggested the possibility of having different colored tags for neutered and unneutered cats. She explained she had talked to several hundred people who feel that the leash law for cats is ridiculous and pointed out if the City Council is going to represent their districts, she feels that they should talk to the people about the ordinance to get their feelings of what is wanted and needed. She stated she understood the ordinance has always been in effect, but the City has just started enforcing it.

Mayor Upchurch suggested that this information be accepted and ask the City Manager to give the Council a report on the enforcement and maybe that information could be taken along with Ms. Sumer's comments. Ms. Block indicated she is concerned that Ms. Sumer was not contacted by the SPCA and she would like to have that investigated. Without objection, the comments were received and Administration was asked to provide reports.

***INTERACT, INCORPORATED - STATUS REPORT - INFORMATION RECEIVED

Lee Hoffman, representing Interact, Incorporated, was at the meeting pointing they are is asking for the City's continual support of their program. She stated they had requested $30,000 this fiscal year which is about 9 percent of their total budget. She gave a detailed, lengthy presentation of the work of Interact, services provided, cost etc. Mayor Upchurch suggested that this be received as information and referred to budget deliberation. Mr. Walters commended Interact for the work they do in their Awareness Program pointing out he hears about their work in his duties serving on the grand jury.

***ENCROACHMENT - IDENTIFICATION SIGN ON SEDGEWOOD DRIVE RIGHT-OF-WAY - REFERRED TO THE LAW AND FINANCE COMMITTEE

Jim Middleton and Joe Brown representing Durham Corporation were at the meeting pointing out they are developing a 63-acre tract on Durleigh Road. He explained this is a residential project being developed by Durham Corporation and explained the permanent entrance to the area is off of Durleigh Road. He pointed out in the design they have put in a divided medium and he is at the meeting to ask for the opportunity to work with the Committee in placing subdivision signs in this divided medium and throughout the subdivision. He stated they want to install heavy landscaping in the medium as well as the subdivision sign and they would like to work with the City on appropriate signage throughout the project to properly identify the project. Without objection, the item was referred to Law and Finance Committee.

***CABLEVISION - REGULATIONS CONCERNING BURIAL DEPTH - INFORMATION RECEIVED; CITY MANAGER TO GIVE REPORT ON CUTS

Jim Seaman 1310-D Kent Road was at the meeting and presented the following prepared statement: Over the last year I have become very disapponted with the quality of service provided by Cablevision of Raleigh. I would think that a compant franchised by the City of Raleigh would be required to conform to some quality control measures...but upon investigating the matter I have determined that this is not the case.

As stated in a letter, that I sent to all council members, other utilities do not seem to have anywhere near the problems in providing reliable service to their customers as does Cablevision of Raleigh. Since I did not receive a response from any of the council members, I set out to look into the matter myself, with some interesting findings.

I determined, from the Public Works Department, that the City of Raleigh has not established any guidelines for the burying of wires for cable services and that the Public Works Department had been called upon to investigate cables laid 2" underground. Upon following up these statements at the Cable Administrator's office, the following statements were made by a person behind an office divider, I assume this person was Robert Thomas.

When I asked a question regarding if there are any regulations that require Cablevision of Raleigh to bury cables at certain depths the person behind the divider stated that the City has inspectors that verify that all cables are properly laid.

Since this answer did not reply to my question, I asked what the definition of "properly" was. The reply was, that the cables are laid down according to guidelines. Upon further questioning, it was established that the City maintains no such guidelines. The guidelines the person behind the divider was talking about were evidently Cablevision of Raleigh's guidelines. My next question was, "So the inspectors from this office basically give a rubber stamp to whatever Cablevision does,

is this right?" The reply I received was "That's right." The prices paid by subscribers to Cablevision of Raleigh seem to be in line with other cities, however the quality of service is way out of line.

What I want to know, along with many others in Raleigh, is what can be done to correct the apparently shoddy cable system we have in Raleigh. Also an investigation might be in order into how a franchise agreement was ever granted without provisions for such matters and why we pay a full time construction inspector and a full time cable engineer along with the cable administrator and at least one secretary in the office.

The City of Raleigh reportedly conducted a 3-year investigation before entering into this franchise agreement. It would seem to me that such an important point as the one I have addressed tonight would have been provided for. But perhaps, it may have been simply an "oversight".

Mayor Upchurch indicated that some of the remarks made by Mr. Seaman makes charges about City Administration; therefore, he would request that the City Manager look into that. Mayor Upchurch questioned if Mr. Seaman had specific locations in mind with Mr. Seaman pointing out that the 1300 block of Kent Road has problems. He indicated he had been told there are no guidelines. City Attorney McCormick indicated we follow the National Electrical Code. City Manager Benton indicated the plans are submitted, reviewed and inspected by the City, but pointed out the installation must be coordinated. He pointed out one of the problems we have is that contractors will go out and excavate in the City right-of-way to put in driveways, etc., and sometimes cut lines as they do not bother to call and get a "locate." Ms. Block questioned where lines are buried only 2 inches under the ground with Mr. Seaman indicating that information was given to him by a person in the Public Works Department but he does not know the exact location. Mr. Block stated she is concerned about the number of electrical services that have been cut and asked for a report on that. City Manager Benton pointed out that information is available and he will be glad to present it to Council. He explained the underground cable location is a growing concern and the City does have a Committee looking at setting up some special local regulations. Ms. Cates pointed out she would imagine the amount of rock or other topographical conditions would determine the depth of any line. She stated she had received a number of complaints about Cablevision but they have been handled expeditiously. She stated she did have one complaint that went on over a week and at that time Cable Administrator Thomas took his staff and borrowed a bucket truck and actually supervised the correction of the problem. She stated she does not have any complaints pending and she feels that the work is being done. Mayor Upchurch suggested that the information be received pointing out he is sure the City Manager will analyze. He pointed out to Mr. Seaman if there are situations or specific complaints he has to be sure to call the City and the City would respond.

***SC-266 - WEST OF THE RANCH - CONDITION REMOVED

T. Ed Bailey representing Commercial Associates was at the meeting pointing out he is involved in the development of property which is adjacent to the Ranch Motel on US 70 West. He indicated when they came down to pick up permits, they discovered some language on the plan approval that they do not feel is necessary. He explained this was a 3½ acre tract which had three lots which have been recombined into two lots which will have two independent uses. He explained the language he is concerned about is the necessity for having cross easement parking agreements. He pointed out that both tracts have adequate parking so the need for cross easement is not necessary. He stated maybe the need for mutual ingress and egress is there but the cross easement access is not necessary as this is not a typical shopping center development. It is two lots being developed into two separate usage. City Manager Benton indicated that the Staff has reviewed the plan and do not feel there is a need for the cross parking agreement since both tracts contain enough parking to support both proposed uses; therefore, Staff would recommend that the cross parking agreements be removed as a condition of approval of this site plan. Mr. Walters moved Staff's recommendation be upheld. His motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***UNSAFE BUILDING - 5900 CALEDONIA DRIVE - ENFORCEMENT OF ORDINANCE DELAYED FOR TWO WEEKS

Attorney Linda Teal was at the meeting representing the owners of the property at 5900 Caledonia Drive. She indicated she was at the meeting to request an extension of time on the ordinance that requires demolition of 5900 Caledonia Drive. She indicated she had started her work with the property owner just last week explaining she had understood the delays in getting the work done related to problems reaching agreements with the insurance company, contractors, etc. She stated she now has a contract from Rhodes Construction Company to do the work and she has secured building permits and authorization to go in and do the work. She stated the owners have been there cleaning up the place and the contractor is willing to go in and he feels that the work can be completed within two weeks or at the longest, four weeks.

Mr. Congleton indicated this was before the Council on February 5 and after lengthly discussion, the City Council did give an extension until March 20. He stated in the discussion for the extension, the City Council agreed to the extension with the understanding the work would be completed by that date. In his opinion, the City Council has gone the second mile in terms of resolution of this issue. He stated he

went by the location earlier today and he could not see that anything had been done; therefore, he would move that the City Council uphold the earlier decision that is take no action to give an extension of time. His motion was seconded by Mr. Keller.

Discussion took place as to when the ordinance would become effective with Mrs. Cates indicating she had gone by and looked at this house and she is not sure that the work could be completed in time limit as there is a lot of interior work to be done. She stated it is hard to get someone to do this type work and she feels maybe an extension is warranted. Mr. Congleton pointed out that the damage was done to the house the 2nd or 3rd of January and the owners have had close to eighty (80) days to find someone to do the work. He stated at this point he feels it is becoming a health and safety problem for the neighborhood. Why the contractor had not started on the work was discussed with Attorney Teal pointing out the contractor wanted to wait and see what the action of the Council was today. Mr. Bartholomew indicated within the past three to four days, there has been a considerable amount of the contents hauled away from this property. He stated a permit for the work was issued on Friday of last week. Discussion took place on the contractor who has the job and whether the work could be completed within two weeks. In response to questioning, Mr. Bartholomew indicated the City is planning to open bids on March 21 for the demolition of the building. He stated Cameron Brown did hold the mortgage on the property until recently but it has been transferred to HUD in the Greensboro office. He stated they were suppose to get in contact with him later in the day to indicate if there is anything they could do. After lengthly discussion, as to whether to grant a two-week extension, whether to repeal the ordinance or refer it to a committee, Mr. Keller made a substitute motion that this item be held and placed on the April 2 Agenda as a special item. His substitute motion was seconded by Mrs. Block. It was pointed out that if this action is passed, that nothing would be done to demolish the house within that two week period and, the Council would consider the progress made by the April 2 meeting with various Council members indicating if the repairs were not close to completion, then they felt they would have no alternative but to demolish the building at that time. The substitute motion was put a vote and passed unanimously. The Mayor ruled the motion adopted.

***REX HOSPITAL - CHANGE OF STATUS - COUNCIL CONCURS

Glen Anderson, a member of the Board of Trustees for Rex Hospital, was at the meeting explaining that Rex Hospital was set up through the will of the John Rex Estate under a special statute. He indicated in 1967 the General Assembly passed some legislation relative to non-profit hospitals and because of the way that Rex Hospital was set up, there has been some question as to whether the 1967 act covers Rex. He pointed out the hospital business is becoming very competitive and medicare payments are based on the type of structure of the hospital. He stated Rex is in the process of setting up a same day surgery unit but medicare would only reimburse 80%, where as, if it were a private hospital, then payments could be reimbursed at 100%. He pointed out Rex had some problems in issuing their bonds in 1978 because of the uncertainty of whether the 1967 legislative act covered Rex. He explained the statutes creating Rex called for a specific route to be followed for the Trustees to be appointed that is the Trustees recommend a replacement which is forwarded to the City Council of Raleigh who confirms that replacement and forwards the name to the Chief Judge and the Chief Judge will recommend approval. He indicated because of this portion of the statute setting up Rex, the Trustees wanted to keep the City informed pointing out the Board is proposing to ask the local delegation to make it possible to change the present structure so as Rex can qualify and definitely be covered under the 1967 legislation. Mr. Walters moved that the City Council approve and concur in the action of the Rex Hospital Board of Trustees. His motion as seconded by Mrs. Cates and put a vote which passed unanimously. The Mayor ruled the motion adopted.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

None.

MATTERS SCHEDULED FOR PUBLIC HEARING

***UNFIT DWELLING - 111 SEAWELL AVENUE - HEARING - ORDINANCE ADOPTED

This was a hearing to consider adoption of an ordinance declaring the dwelling at 111 Seawell Avenue unfit and directing that it be placarded to prohit its use or occupancy. The property is owned by Adna J. Howell. The Mayor opened the hearing.

John Frazier property manager at 111 Seawell Avenue was at the meeting pointing out he is in the process of purchasing this property. He indicated he would like to have a 30 to 45 day extension to make the repairs pointing out there have been problems with the tenants. He explained that 3/4 of the work required by the City has been completed and the only remaining thing relates to the height of the building. He pointed out he has been having difficulty getting scaffoldings needed to reach the top of the building. No one else to be heard thus the hearing was closed. Mr. Calloway moved adoption of an ordinance declaring the dwelling at 111 Seawell Avenue unfit effective April 17. His motion was seconded by Ms. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. 1985-519

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT.

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 10, Chapter 6, Article H of the Code of the City of Raleigh, North Carolina, entitled "Housing Code," and that all of the provisions of said Article have been complied with as a condition of the adoption of this Ordinance; and

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Director of Inspections or his designee, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Director of Inspections of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein containing the legend: THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
Mrs. Adna J. Howell	111 Seawell Avenue

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. This Ordinance shall become effective April 17, 1985.

Adopted: March 19, 1985.

Effective: April 17, 1985.

***ANNEXATION - FARMINGTON WOODS SECTION B - HEARING - ORDINANCE AND RESOLUTION ADOPTED

This was hearing to consider the contiguous annexation of Farmington Woods, Section B. The hearing is pursuant to petition, notification and advertisement as required by law. Planning Director Chapman explained the area in question and how it qualifies for annexation. Brief discussion took place with Mrs. Block pointing out this is just annexing a section of an area and questioned if this would cause problems with phasing with Planning Director Chapman indicating he did not feel it would. Mr. Calloway observed that this section is being developed very attractively and moved adoption of an ordinance annexing the area effective Jun 30, 1985 and a resolution placing the area in a City Council Electoral District C. His motion was seconded by Mr. Walters and put a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 520

AN ORDINANCE TO EXTEND THE CITY LIMITS OF THE CITY OF RALEIGH BY ANNEXING PROPERTY CONTIGUOUS TO THE CITY LIMITS DESCRIBED AS FARMINGTON WOODS SECTION 2B

WHEREAS, a petition was filed and found sufficient for the voluntary annexation of said property by the owner(s); and

WHEREAS, pursuant to provisions of Section 160A31 of the General Statutes of North Carolina, a public notice was given by publication in a newspaper in Wake County with a general circulation in the municipality, describing by metes and bounds the territory herein described to be annexed to the City of Raleigh, notifying residents of the City of Raleigh that a meeting of the City Council would be held on March 19, 1985, at 1:00 p.m., or as soon thereafter as the matter could be heard, in the Council Chamber, for the purpose of considerating the annexation of such territory to the municipality; and

WHEREAS, any and all comments were heard and considered at said public hearing; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following described property be and the same is hereby annexed to the City of Raleigh as of June 30, 1985:

Farmington Woods, Section 2B

BEGINNING at a point in the existing Raleigh City Limits (3-1-85), such point being the southeast corner of Lot 14 as shown on Book of Maps 1983, Page 887, Wake County Registry, runs thence North 16 degrees 23 minutes 08 seconds East 152.89 feet to an iron stake; runs thence North 44 degrees 54 minutes East 257.50 feet to an iron stake; runs thence North 27 degrees 22 minutes 50 seconds East 150.32 feet to an iron stake; runs thence North 63 degrees 02 minutes 30 seconds East 39.05 feet to an iron stake; runs thence South 66 degrees 45 minutes 50 seconds East 100 feet to an iron stake; runs thence South 23 degrees 14 minutes 10 seconds West 16.74 feet to an iron stake; runs thence South 66 degrees 45 minutes 50 seconds East 145 feet to an iron stake; runs thence leaving said City Limits South 14 degrees 47 minutes 56 seconds West 144.44 feet to an iron stake; runs thence North 88 degrees 30 minutes 27 seconds West 69.63 feet to an iron stake; runs thence South 28 degrees 48 minutes 32 seconds West 163.08 feet to an iron stake; runs thence in a curve to the right (R=292.48') 27.43 feet to an iron stake; runs thence South 34 degrees 10 minutes 15 seconds West 95.23 feet to an iron stake; runs thence South 18 degrees 06 minutes 18 seconds East 68.54 feet to an iron stake in the northern line of Creech property; runs thence along the northern line of Creech property North 82 degrees 10 minutes 40 seconds West 309.65 feet to the BEGINNING, containing 3.30 acres according to survey map of Walter B. Bunn dated 10/11/84 entitled "Annexation Map - Part 'B', Property of Farmington Woods, Phase II."

Section 2. It being understood and agreed that the developer will at his expense construct streets and install utilities within the annexed area.

Section 3. That the Mayor of the City of Raleigh shall cause an accurate map of such annexed territory, together with a copy of this ordinance, duly certified, to be recorded in the office of the Register of Deeds for Wake County, and in the office of the Secretary of State of North Carolina.

Section 4. That this ordinance shall become effective June 30, 1985.

Adopted: 3/19/85

Effective: 6/30/85

RESOLUTION NO. (1985) 744

A RESOLUTION TO AUTHORIZE THE INCLUSION OF FARMINGTON WOODS SECTION 2B IN CITY ELECTORAL DISTRICT C

WHEREAS, The City Council of the City of Raleigh did, by Ordinance No. (1985) 520 adopted March 19, 1985, annex a parcel of land commonly referred to as Farmington Woods Section 2B and

WHEREAS, any such annexation must be assigned to one of the City's five voting districts to assure adequate representation of the residents thereof; and

WHEREAS, District C is the logical place to assign this annexation due to its proximity to the newly annexed area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA:

Section 1. That this area known as Farmington Woods Section 2B as described in Ordinance No. (1985) 520 be added to City Electoral District C.

Adopted: 3/19/85

Effective: 6/30/85

***PU-1985-4 - CARTWRIGHT DRIVE - HEARING - RESOLUTION ADOPTED

This was a hearing to consider the installation of approximately 3,000 feet of sewer main in the Cartwright Drive area with assessment on the per lot basis to apply. Public Utilities Director Simmons explained the location of the proposed improvements. The Mayor opened the hearing to the public. The City Clerk read a letter of support from John C. and Marilyn M. Brantley. No one else ask to be heard thus the hearing was closed. Mrs. Cates moved adoption of a resolution directing the project as advertised. Her motion was seconded by Mr. Calloway and put to a roll call vote which resulted in all members in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION (1985) 745

A RESOLUTION TO DIRECT THAT THE WATER AND SEWER OF THE CITY OF RALEIGH BE EXTENDED AND TO ASSESS COST AGAINST LAND ASSESSABLE THEREFORE

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to

direct that improvements be made and the cost thereof assessed against abutting property assessable therefore; and

WHEREAS, a preliminary resolution has been adopted by the City Council and a public hearing hereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statues of North Carolina:

(a) PU-1985-4 - Installation of approximately 3,000 feet ± of eight-inch sewer main in Cartwright Drive, south to Monticello Drive, thence west to Dodsworth Drive (assessment on per lot basis).

(b) PU 1985-5 - Installation of approximately 10,700 feet ± of twelve-inch water line from existing twelve-inch main on Lake Wheeler Road to Holly Springs Road, thence to tie into existing twelve-inch main on Gorman Street (assessment due upon annexation of property).

(c) PU 1985-7 - Installation of approximately 4,100 linear feet of sixteen-inch ductile iron water main along Duraleigh Road, from existing water main at intersection of Ebenezer Church Road to Richards Development (assessment on front footage of property abutting the extension upon annexation of property).

Section 2. That 100 percent of the total cost of said improvement which can be assessed according to provisions of Part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code be assessed against the property receiving the improvement. Assessment will be made according to the following method: See each individual project above.

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

***PU-1985-5 - LAKE WHEELER ROAD AREA - HEARING - RESOLUTION ADOPTED

This was a hearing to consider the installation of approximately 10,700 feet of water line in Lake Wheeler Road with assessment by fee in lieu of to apply. This property is outside the City Limits; therefore, assessment is not due until property is annexed or the line is tapped into. Public Utilities Director Simmons explained the proposal. The Mayor opened the hearing no one asked to be heard thus the hearing was closed. Mrs. Block questioned if this is necessary for the current development or is being proposed for future development. City Manager Benton indicated that Mrs. Block and Mr. Keller had had several complaints about pressure in this area. He stated there were a couple of alternatives for resolving this problem; however, Administration recommends the installation of the line as recommended. Mr. Calloway moved adoption of a resolution directing the project as outlined. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION (1985) 745

A RESOLUTION TO DIRECT THAT THE WATER AND SEWER OF THE CITY OF RALEIGH BE EXTENDED AND TO ASSESS COST AGAINST LAND ASSESSABLE THEREFORE

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that improvements be made and the cost thereof assessed against abutting property assessable therefore; and

WHEREAS, a preliminary resolution has been adopted by the City Council and a public hearing hereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statues of North Carolina:

(a) PU-1985-4 - Installation of approximately 3,000 feet ± of eight-inch sewer main in Cartwright Drive, south to Monticello Drive, thence west to Dodsworth Drive (assessment on per lot basis).

(b) PU 1985-5 - Installation of approximately 10,700 feet ± of twelve-inch water line from existing twelve-inch main on Lake Wheeler Road to Holly Springs Road, thence to tie into existing twelve-inch main on Gorman Street (assessment due upon annexation of property).

(c) PU 1985-7 - Installation of approximately 4,100 linear feet of sixteen-inch ductile iron water main along Duraleigh Road, from existing water main at intersection of Ebenezer Church Road to Richards Development (assessment on front footage of property abutting the extension upon annexation of property).

Section 2. That 100 percent of the total cost of said improvement which can be assessed according to provisions of Part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code be assessed against the property receiving the improvement. Assessment will be made according to the following method: See each individual project above.

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

***PU-1985-6 - TRYON ROAD - HEARING - REFERRED TO THE PUBLIC WORKS COMMITTEE

This was a hearing to consider the installation of approximately 5,700 feet of water line in Tryon Road with assessment on the front footage basis to apply. It was pointed out this is outside City Limits; therefore, assessment is not due until the property is annexed or the line is tapped into. Public Utilities Director Simmons explained the proposal. The Mayor opened the hearing.

A Mr. Fowler representing the State ABC Board was at the meeting explaining they had paid acreage fees, tap on fees, etc., and they do not feel that they should have to pay any further assessments. He pointed out it is his understanding that their warehouse facility will not receive any benefits; therefore, they do not want to be assessed. City Attorney McCormick indicated if we notify the State and they decline to participate, then they do not have to pay. It was pointed out that the City does notify the State property officer and they should make a determination as to whether they want to participate in this work. No one else asked to be heard thus the hearing was closed. Discussion took place on the need for the project and whether the State should participate after which Mr. Calloway moved that PU-1985-6 be referred to Public Works Committee. His motion was seconded by Mrs. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***PU 1985-7 - DURALEIGH ROAD - HEARING - RESOLUTION DIRECTING PROJECT ADOPTED; CONTRACT WITH DURHAM LIFE - APPROVED

This is a hearing to consider the installation of approximately 4,100 feet of water main in Duraleigh Road with assessment on the front footage basis to apply. It was pointed out that this property is outside the City Limits and assessments would be due upon annexation or tap on to the line. Public Utilities Director Simmons explained the proposal. The Mayor opened the hearing to the public. No one asked to be heard thus the hearing was closed. Mrs. Cates questioned if this could cover the Rockwood Road area residents and this was discussed briefly. Mrs. Block moved adoption of a resolution directing the project as advertised. Her motion was seconded by Ms. Cates and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION (1985) 745

A RESOLUTION TO DIRECT THAT THE WATER AND SEWER OF THE CITY OF RALEIGH BE EXTENDED AND TO ASSESS COST AGAINST LAND ASSESSABLE THEREFORE

WHEREAS, by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, the City Council of the City of Raleigh is authorized to direct that improvements be made and the cost thereof assessed against abutting property assessable therefore; and

WHEREAS, a preliminary resolution has been adopted by the City Council and a public hearing hereon duly held;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the following improvements be made and the costs thereof assessed against the abutting property pursuant to Article 10 of Chapter 160A of the General Statues of North Carolina:

(a) PU-1985-4 - Installation of approximately 3,000 feet ± of eight-inch sewer main in Cartwright Drive, south to Monticello Drive, thence west to Dodsworth Drive (assessment on per lot basis).

(b) PU 1985-5 - Installation of approximately 10,700 feet ± of twelve-inch water line from existing twelve-inch main on Lake Wheeler Road to Holly Springs Road, thence to tie into existing twelve-inch main on Gorman Street (assessment due upon annexation of property).

(c) PU 1985-7 - Installation of approximately 4,100 linear feet of sixteen-inch ductile iron water main along Duraleigh Road, from existing water main at intersection of Ebenezer Church Road to Richards Development (assessment on front footage of property abutting the extension upon annexation of property).

Section 2. That 100 percent of the total cost of said improvement which can be assessed according to provisions of Part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code be assessed against the property receiving the improvement. Assessment will be made according to the following method: See each individual project above.

Section 3. That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot or parcel of land for and in connection with which said connections are made, as provided by Article 10 of Chapter 160A of the General Statutes of North Carolina.

City Manager Benton indicated at a recent Council member, the City Council approved the concept for the water line in Duraleigh Road and authorized the hearing. He indicated the concept for the line called for an agreement with Durham Life Company to cover the financing of this line and they would receive reimbursement from any hook ons, etc. He indicated the Council held execution of the agreement subject to the outcome of this hearing. Mr. Walters moved approval of the agreement with Durham Life covering the installation as outlined of PU 1985-7. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT OF PLANNING COMMISSION

***PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor Upchurch presented the Planning Commission Consent Agenda indicating it would be handled in the same manner as the regular Consent Agenda. He explained items marked with one asterisk beside the Certified Recommendation number are located within flood-prone areas, items marked with two asterisks beside the Certified Recommendation number are located within the Falls Basin. The following items were pulled from the Consent Agenda: Upchurch - CR-5469 (S-43-85); Cates - CR-5458 (S-29-85); Calloway - CR-5481 (PA-267); Block - CR-5456 (S-27-85), CR-5457 (S-28-85), CR-5461 (S-3485), CR-5462 (S-35-85), CR-5463 (S-36-85). She indicated she wanted to pull these items as they involve phasing and she wanted to know if the proposed text change relating to phasing would have an affect on these projects. Mrs. Block also pulled CR-5459 (S-31-85), CR-5467 (S-41-85), CR-5482 (PC-272); Congleton - CR-5466 (S-40-85), CR-5467 (S-41-85), CR-5478 (PA-3085) and CR-5482 (TC-272); Keller - CR-5464 (S-38-85). Without objection, these items were pulled from the Consent Agenda. Mr. Calloway moved the Planning Commission's recommendation on the remainding items on the Consent Agenda be upheld. His motion was seconded by Mrs. Block and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Consent Agenda were as follows:

S-32-85 - SHELDON DRIVE - APPROVED WITH CONDITIONS

This was a request for approval to subdivide two lots with a total of 2.09 acres zoned Residential-20 into seven lots. Proposed Lots 2 and 7 each have a four-unit apartment building under construction. The remainder of the site is undeveloped.

The property is located on the north side of Sheldon Drive, between Rush Street and Marion Road, inside the City Limits.

CR-5460 from the Planning Commission recommended that this request be approved according to a map entitled, "Sheldon Drive," the property of Bragg and Associates, drawn by Envirotek, dated February 22, 1985, with the condition that the two existing lots are recombined prior to the recordation of the final plat. Consent Agenda approval Calloway/Block - 8 ayes.

S-39-85 - BAYLINER CONDOMINIUM CONVERSION - APPROVED

This was a request for approval to convert 26 units on eight lots, zoned Conservation/Buffer, Residential-10 and Residential-15, into residential condominiums. Each lot will be a separate condominium development.

The property is located on Bayliner Drive, between Betram Drive and Brockton Drive, inside the City Limits.

CR-5465 from the Planning Commission recommended that this request be approved according to a map entitled, "Bayliner Condominium Conversion," the property of Warren Wilson and Company, drawn by John A. Edwards and Company, dated February 18, 1985. Consent Agenda approval Calloway/Block - 8 ayes.

S-42-85 - BELVIDERE CONDOMINIUM CONVERSION - APPROVED

This was a request for approval to convert a 16-unit apartment project into residential condominiums on 1.79 acres, zoned Residential-10.

The property is located on the west side of Oberlin Road, between Wayland Drive and Asheland Street, inside the City Limits.

CR-5468 from the Planning Commission recommended that this request be approved according to a map entitled, "Belvidere Condominium Conversion," the property of Guardian Apartments, a partnership (owner/seller), drawn by Municipal Engineering Services Company, PA, dated March 1, 1985. Consent Agenda approval Calloway/Block - 8 ayes.

S-45-85 - STONEHENGE XI - APPROVED WITH CONDITIONS

This was a request for approval to revise a previously approved plan (Bridgeport Townhouses, S-92-84) to subdivide 19.19 acres which are currently undeveloped and zoned Residential-6 into 75 lots to be developed as a Cluster Unit Development.

The property is located on the south side of Bridgeport Drive, east of Creedmoor Road and adjacent to Bluffridge Drive, outside the City Limits.

CR-5470 from the Planning Commission recommended that this request be approved according to a map entitled, "Stonehenge XI," the property of Development Associates, Incorporated, drawn by Penny Greene and Associates, dated February 1, 1985, with the condition that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plats. Consent Agenda approval - Calloway/Block - 8 ayes.

S-47-85 - FRANK D. CASTLEBURY, JR. - APPROVED

This was a request for approval to subdivide 1.39 acres, zoned Neighborhood Business, into two lots, each of which is developed.

The property is located at the west side of the intersection of Hillsborough Road and Western Boulevard, east of the Buck Jones Road and Jones Franklin Road intersection, inside the City Limits.

CR-5471 from the Planning Commission recommended that this request be approved according to a map entitled, "Frank D. Castlebury, Jr.," the property of Frank D. Castlebury, Jr., drawn by Thomas and W. Whitt, dated January, 1985. Consent Agenda approval - Calloway/Block - 8 ayes.

PA-20-85 - OH! BRIAN'S - APPROVED

This was request for approval to add an additional 570 square feet to the existing 5,766 square foot restaurant for a total of 6,336 square feet on 1.0 acre, zoned Neighborhood Business.

The property is located on the west side of Old Wake Forest Road and south of Ollie Street, inside the City Limits.

CR-5472 from the Planning Commission recommended that this request be approved according to a map entitled, "Oh! Brian's," the property of Oh! Brian's Corporation, drawn by Bell Cline, Incorporated, dated February 18, 1985. Consent Agenda approval - Calloway/Block - 8 ayes.

PA-21-85 - WACHOVIA OPERATIONS CENTER EXPANSION - APPROVED

This was a request for approval to construct an additional 59,000 square feet of office space to an existing 37,500 square foot building on 8.28 acres, zoned Office and Institution-I. The total size of the building will be 96,000 square feet.

The property is located on the west side of Old Wake Forest Road, south of the Beltline, U.S. 64, inside the City Limits.

CR-5473 from the Planning Commission recommended that this request be approved according to a map entitled, "Wachovia Operations Center Expansion," the property of Wachovia Bank and Trust, drawn by O'Brien Atkins, dated February 21, 1985. Consent Agenda approval - Calloway/Block - 8 ayes.

PA-22-85 - O'NEAL MOTORS, INCORPORATED - APPROVED

This was a request for approval to construct a 24-foot driveway across a 50-foot Office and Institution-III strip of land on a 2.0 acre parcel. The remainder of the site is zoned Industrial-I.

The property is located on the east side of U.S. 1 North, just north of Spring Forest Road, outside the City Limits.

CR-5474 from the Planning Commission recommended that this request be approved according to a map entitled, "O'Neal Motors, Incorporated," the property of O'Neal Motors, Incorporated, drawn by B. Kenneth Martin, dated January 7, 1985. Consent Agenda approval - Calloway/Block - 8 ayes.

PA-24-85 - CAPITAL PROSTHETICS AND ORTHOTICS - APPROVED WITH CONDITIONS

This was a request for approval to construct a 6,000 square foot office building on 0.54 acre which is currently undeveloped and zoned Office and Institution-I.

The property is located on the south side of Falstaff Road, just west of Swainburne Street, inside the City Limits.

CR-5475 from the Planning Commission recommended that this request be approved according to a map entitled, "Capital Prosthetics and Orthotics," the property of Capital Prosthetics and Orthotics, drawn by Ben Faircloth, dated September 16, 1984, with the condition that the Staff approve a landscaping plan prior to issuance of a building permit. Consent Agenda approval - Calloway/Block - 8 ayes.

PA-25-85 - ERWIN OIL COMPANY - APPROVED

This was a request for approval to construct a 760 square foot mini mart on a 0.5 acre site, zoned Neighborhood Business. The site is developed as a self-service gas station and a car wash which will remain.

The property is located on the west side of U.S. 401 and 70, just north of Rush Street, inside the City Limits.

CR-5476 from the Planning Commission recommended that this request be approved according to a map entitled, "Erwin Oil Company, " the property of Erwin Oil Company, drawn by Vance Construction Company, dated February 14, 1985. Consent Agenda approval - Calloway/Block - 8 ayes.

PA-29-85 - CAVENESS HOUSE - APPROVED

This was a request for approval to convert an existing 3,925 square foot residential building into office space, on a 0.37 acre tract, zoned Office and Institution-I.

The property is located on the northwest corner of Hillsborough Street and Woodburn Road, outside the City Limits.

CR-5477 from the Planning Commission recommended that this request be approved according to a map entitled, "Caveness House," the property of Angela Caveness, drawn by Resolute Building Company, dated February 28, 1985. Consent Agenda approval - Calloway/Block - 8 ayes.

SC-4-85 - FESTIVAL AT SIX FORKS - APPROVED WITH CONDITION

This was a request for approval to expand the existing 43,140 square foot center by 94,220 square feet for a total of 137,360 on 11.15 acres, zoned Shopping Center and Residential-4.

The property is located at the southwest corner of Six Forks Road and Sawmill Road, inside the City Limits.

CR-5479 from the Planning Commission recommended that this request be approved according to a map entitled, "Festival at Six Forks," the property of Capital Developments I, drawn by C. Robert Shields, dated January 2, 1985, with the condition that a sign criteria be approved by the Planning Commission and City Council prior to issuance of a sign permit. Consent Agenda approval - Calloway/Block - 8 ayes.

SC-11-85 - EAST RALEIGH MOTEL - APPROVED WITH CONDITION

This was a request for approval to construct a 29,000 square foot motel consisting of 68 rooms on 1.51 acres which are currently undeveloped and zoned Shopping Center.

The property is located on the east side of New Bern Avenue, just north of Sunnybrook Road, inside the City Limits.

CR-5480 from the Planning Commission recommended that this request be approved according to a map entitled, "East Raleigh Motel," the property of Triangle Investment Services, drawn by Alan Turner, dated January 31, 1985, with the condition that any freestanding sign be approved by the Planning Commission and City Council prior to issuance of a sign permit. Consent Agenda approval - Calloway/Block - 8 ayes.

END OF PLANNING COMMISSION CONSENT AGENDA

***S-27-85 - CANDLEWOOD II - APPROVED WITH CONDITIONS

This was a request for approval to subdivide and construct 44 townhouse units on 7.47 acres which are currently undeveloped and zoned Residential-6.

The property is located on the south side of Buffaloe Road, 900 feet east of New Hope Road, outside the City Limits.

CR-5456 from the Planning Commission recommended that this request be approved according to a map entitled, "Candlewood II," the property of Garry C. Gardner, Incorporated, drawn by Gay-Jarvis Associates, Incorporated, dated January 2, 1985, with the following conditions: (1) That a stormwater management plan conforming to the Perry Creek Stormwater Policy be prepared and approved by Staff; (2) that the legal documents for the non-profit homeowners association, including maintenance of force main and pump station with Candlewood III, be reviewed and approved by the City Attorney's Office prior to recording the final plats; and (3) that separate off-site sanitary sewer easements for force main and public gravity sewer be recorded prior to signing of construction drawings.

Mrs. Block indicated she had pulled this from the Consent Agenda as it is being built in phases and she wondered if the proposed text change relating to phasing would have any affect on this subdivision. Planning Director Chapman indicated he had not analyzed each case individually; however, the three Candlewood projects on the Agenda today are all separated from each other by public right of way; therefore, he did not feel it would have any affect. Mrs. Block moved approval of the Planning Commission's recommendation as outlined. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-28-85 - CANDLEWOOD III - APPROVED WITH CONDITIONS

This was a request for approval to subdivide and construct 138 townhouse units on 17.14 acres which are currently undeveloped and zoned Residential-6.

The property is located on the south side of Buffaloe Road, east of New Hope Road, outside the City Limits.

CR-5457 from the Planning Commission recommended that this request be approved according to a map entitled, "Candlewood III," the property of Garry C. Gardner, Incorporated, drawn by Gay-Jarvis Associates, Incorporated, dated January 2, 1985, with the following conditions: (1) That a stormwater management plan conforming to the Perry Creek Stormwater Policy be prepared and approved by Staff; (2) that the legal documents for the non-profit homeowners association, including maintenance of force main and pump station with Candlewood II, be reviewed and approved by the City Attorney's Office prior to recording the final plats; and (3) that separate off-site sanitary sewer easements for force main and public gravity sewer be recorded prior to signing of construction drawings.

Mrs. Block pointed out she requested this item be withdrawn from the Consent Agenda as the project is being developed in phases; therefore, she wondered if the proposed text change relating to phasing would have any affect on this subdivision. Planning Director Chapman indicated he had not analyzed each case individually; however, the three Candlewood projects on today's Agenda were separated from each other by public right of way; therefore, he did not feel there would be any affect. Mrs. Block moved the Planning Commission's recommendation be upheld. He motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-29-85 - CANDLEWOOD CLUSTER DEVELOPMENT - APPROVED WITH CONDITIONS

This was a request for approval to subdivide and develop as a Cluster Unit Development on 59 acres which are currently undeveloped and zoned Residential-6. the single-family development consists of 169 lots on 42 acres, and the townhouse development consists of 86 units of 17 acres.

The property is located on the north side of Buffaloe Road, east of New Hope Road, outside the City Limits.

CR-5458 from the Planning Commission recommended that this request be approved according to a map entitled, "Candlewood Cluster Development," the property of Garry C. Gardner, Incorporated, drawn by Gay-Jarvis Associates, Incorporated, dated February 5, 1985, with the following conditions: (1) That a Stormwater Policy be prepared and approved by Staff; (2) that the City accept the dedication of the greenway easement as shown on the plan; and (3) that the legal documents for the non-profit homeowners association, including maintenance of force main and pump station, be reviewed and approved by the City Attorney's Office prior to the recording of final plats.

Mrs. Block questioned if the proposed text change relating to phasing would have any affect on this subdivision. Planning Director Chapman indicated he had not analyzed each case separately; however, the three Candlewood projects on today's Agenda are separated from each other by a public right of way; therefore, he did not feel that the proposed text change would have any affect on this subdivision. Mrs. Cates indicated she had wanted this pulled from the Consent Agenda as she could not see the greenway on the map. Planning Director Chapman explained the location. Mrs. Cates moved the Planning Commission's recommendation be upheld. Her motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-31-85 - KENSINGTON PARK CONDOMINIUM CONVERSION - TO BE PLACED ON APRIL 2, 1985 AGENDA AS SPECIAL ITEM

This was a request for approval to convert a 336 unit project into residential condominiums on 29.93 acres which are developed and zoned Residential-15.

The property is located on the northwest side of Avent Ferry Road, between Gorman Street on the south and Crest Road on the north, inside the City Limits.

CR-5459 from the Planning Commission recommended that this request be approved according to a map entitled, "Kensington Park Condominium Conversion," the property of Kensington Park Associates, drawn by Larry I. Chasak, dated January 30, 1985.

Planning Director Chapman explained the proposed subdivision which involves converting an existing project into condominiums. Mr. McNeely indicated this item was on the Planning Commission Consent Agenda; however it was pulled and discussion took place relative to the flood situation in the area. He indicated they had been assured that the floor level is above the 100 year flood level with no dwelling floor elevation below that. He stated in addition this is an existing project and no new buildings will be constructed. Mrs. Block pointed out the 1973 floods showed pictures of cars floating in the parking lot in this area. She stated she had talked with the present and perspective owners and Mr. Vernon would like to speak to the City Council to explain what he will be doing to help protect from flooding. Eric Vernon indicated he has documents signed by the Vice President dated March 19, 1985 to the City of Raleigh explaining the landscaping that will be done in this area, construction of burms or embankments to protect from flooding, etc. He stated in addition they plan to carry flood insurance even though the buildings are outside the 100 year flood level. Mr. Walters pointed out any time you construct burms the water would be put on someone else's property. He stated the City's "mud and flood" people would have to look at this. Mrs. Block explained she wanted the City Council to receive this information and had planned to ask that the item be referred to Public Works Committee but since that Committee will not be meeting prior to the next meeting, she would move that this item be held on the Agenda as a special item to receive a report from Administration on the proposed landscaping, burm construction, etc. Her motion was seconded by Mrs. Cates. Mr. Walters questioned if this would not have to go back through the Planning Commission with it being pointed out by it being held on the Committee we could get a report from Administration. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

***S-34-85 SOUTH PARK I - APPROVED WITH CONDITION

This was a request for approval to subdivide and construct five duplex townhouse units on five existing lots which are currently undeveloped and zoned Residential-20.

The property is located on the northwest corner of Bragg Street and South East Street, inside the City Limits.

CR-5461 from the Planning Commission recommended that this request be approved according to a map entitled, "South Park I," the property of Housing Authority of the City of Raleigh, North Carolina, drawn by L. I. Chasak, dated February 1, 1985, with the condition that the legal documents for the party walls be reviewed and approved by the City Attorney's Office prior to recording the final plats.

Mrs. Block indicated she had pulled this from the Consent Agenda as it is being built in sections and she was wondering if the proposed text change relating to phasing would have any affect on this proposed subdivision. Planning Director Chapman indicated he had not analyzed each case individually; however, the two subdivisions relating to South Park are freestanding and independent of each other; therefore, he does not feel the proposed text change would have any affect on the Planning Commission's recommendation. Mrs. Block moved the Planning Commission's recommendation be upheld. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-35-85 - SOUTH PARK II - APPROVED WITH CONDITIONS

This was a request for approval to subdivide and construct five duplex townhouse units on five existing lots which are currently undeveloped and zoned Residential-20.

The property is located on the east and west sides of Mark Street, between Bledsoe Street and Lee Street, inside the City Limits.

CR-5462 from the Planning Commission recommended that this request be approved according to a map entitled, "South Park II," the property of Raleigh Housing Authority, drawn by Larry I. Chasak, dated February 1, 1985, with the following conditions: (1) That the Board of Adjustment approve the variance of the required rear yard setbacks; and (2) that the legal documents for the common party walls be reviewed and approved by the City Attorney's Office prior to recording the final plats.

Mrs. Block pointed out she pulled this from the Consent Agenda as there is a proposed text change relating to phasing of developments and she wondered if this proposal would have any affect on the proposed subdivision. Planning Director Chapman indicated he had not analyzed each case individually; however, South Park I and South Park II are independent and freestanding subdivisions. Mrs. Block moved that the

Planning Commission's recommendation be upheld. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-36-85 - OAK RUN TOWNHOMES, PHASE 4 - APPROVED WITH CONDITION

This was a request for approval to subdivide and construct 37 townhouse units on 3.75 acres which are currently undeveloped and zoned Residential-10.

The property is located on the east side of Bashford Road, at the ending cul-de-sac of Oak Run Drive, outside the City Limits.

CR-5463 from the Planning Commission recommended that this request be approved according to a map entitled, "Oak Run Townhomes, Phase 4," the property of Supreme Builders, Incorporated, drawn by Glenn D. Ward and Associates, dated March 4, 1985, with the condition that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to recording the final plats.

Mrs. Block indicated she pulled this item from the Consent Agenda as it is a phased development and we have a proposed text change relating to phasing. Planning Director Chapman indicated this is the final phase of this development; therefore, the proposed text change would have no affect. Mrs. Block moved the Planning Commission's recommendation be upheld. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-38-85 - GLENOE-ON-FERRY - APPROVED WITH CONDITION

This was a request for approval to subdivide 15.42 acres which are currently undeveloped and zoned Residential-6 into 55 lots and developed as a Cluster Unit Development.

The property is located on the northwest side of Avent Ferry Road, on the northern property line of the Lake Johnson property, inside the City Limits.

CR-5464 from the Planning Commission recommended that this request be approved according to a map entitled, "Glenoe-on-Ferry," the property of MacNair Property, drawn by McNeely Associates, dated March 4, 1985, with the condition that the legal documents for the non-profit homeowners association be reviewed and approved by the City Attorney's Office prior to the recording of the final plats.

Planning Director Chapman explained the proposed subdivision and Mr. McNeely indicated this was on the Planning Commission's Consent Agenda but the Staff did give it a thorough review. Mr. Keller indicated he had understood there was some discussion about tapping on to the City's sewer line in Lake Johnson Park and he just wanted to make sure that there was no obligation on the City's part. Mr. McNeely indicated sewer is in the area now and that is the sewer this project will be tapping on to. Mr. Keller moved the Planning Commission's recommendation be upheld. His motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-40-85 - TILLERY PLACE - APPROVED

This was a request for approval to subdivide 6.79 acres, zoned Industrial-II, into seven lots. The site is partially developed with several metal storage buildings and warehouse facilities.

The property is located on the northwest side of Downtown Boulevard (on southbound lane), directly across from the intersection of Fenton Street, inside the City Limits.

CR-5466 from the Planning Commission recommended that this request be approved according to a map entitled, "Tillery Place," the property of Paul A. Tillery Commercial Rentals, drawn by Hager, Smith and Huffman Architects, PA, dated February 21, 1985.

Mr. Congleton indicated he pulled this from the Consent Agenda questioning if there is any conflict with Atlantic Avenue extension. Planning Director Chapman indicated there is not. Mr. Congleton moved the Planning Commission's recommendation be upheld. His motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-41-85 - BLUE RIDGE OFFICE CENTER - REFERRED TO THE PUBLIC WORKS COMMITTEE

This was a request for approval to subdivide 11.9 acres into nine lots which are currently undeveloped and zoned Office and Institution-I.

The property is located on the west side of Blue Ridge Road, directly across from Lake Boone Trail, outside the City Limits.

CR-5467 from the Planning Commission recommended that this request be approved according to a map entitled, "Blue Ridge Office Center," the property of Blue Ridge Office Center Partnership, drawn by John A. Edwards and Company, dated January 31, 1985, with the condition that the developer relocate Lake Boone Trail Extension so it

is totally within this project boundary or that the property owner to the north sign the subdivision application agreeing to improve that portion of Lake Boone Trail which is north of this project prior to the recording of the final plats for Lots 6, 9 and 10.

Planning Director Chapman explained the proposed subdivision. Planning Commission Chairman McNeely explained the discussion in the Planning Commission on this item. Mr. Congleton indicated he did not understand all the ends and the outs about the road question here; therefore, he would move that this item be referred to Law and Finance Committee. His motion was seconded by Mrs. Babb. Mrs. Block pointed out she wanted this referred to the Public Works Committee as it has been a matter of discussion before the Public Works Committee for quite some time. The motion as stated was put to a vote and passed unanimously.

Later in the meeting Mr. Keller moved that the City Council rescind the action of referring Subdivision S-41-85 to the Law and Finance Committee. His motion was seconded by Mrs. Cates and put to a vote which passed with all members voting in the affirmative except Mr. Congleton who voted in the negative. The Mayor ruled the motion adopted. Mr. Keller moved that subdivision S-41-85 be referred to Public Works Committee. His motion was seconded by Mrs. Block and put a vote which passed unanimously. The Mayor ruled the motion adopted.

***S-43-85 - DUAL CARBURETION SYSTEMS, INCORPORATED - REFERRED TO PUBLIC WORKS COMMITTEE

This was a request for approval to subdivide a 1.4 acre parcel into two lots, zoned Industrial-II. A one-story block garage is located on the property.

The property is located on the east side of Old Louisburg Road, between Dennis Avenue on the north and Brookside Drive on the south, inside the City Limits.

CR-5469 from the Planning Commission recommended that this request be approved according to a map entitled, "Dual Carburetion Systems, Incorporated," the property of Dual Carburetion Systems, Incorporated, drawn by Triangle Engineering Service, Incorporated, dated January 30, 1985, with the condition that improvements be made to Old Louisburg Road as specified by the City Department of Transportation prior to recording the final plats.

Mayor Upchurch indicated the sewer problem in this area was not discussed; therefore, he would request that this item be referred to Public Works Committee. Without objection, the item was so referred.

***PA-30-85 - SANDY FORKS ASSOCIATES - REFERRED TO LAW AND FINANCE COMMITTEE

This was a request for approval to construct a 94-unit apartment project consisting of five buildings on 4.0 acres which are undeveloped and zoned Office and Institution-I.

The property is located on the south side of Sandy Forks Road, just west of Falls of Neuse Road, inside the City Limits.

CR-5478 from the Planning Commission recommended that this request be approved according to a map entitled, "Sandy Forks Associates," the property of Sandy Forks Associates, drawn by Angshuman De Architects, dated February 1, 1985. The Planning Commission granted variances to Sections 10-2075(d)(3) - yards and 10-2075 (d)(c) - parking - to building setbacks.

Planning Director Chapman explained the plan approval. Chairman McNeely indicated the Planning Commission discussed this case at length pointing out the discussion centered around basically the same questions that came up in the Bishop Park Development. He indicated the recommended approval did include some variances that were recommended and supported by Staff. Mr. Congleton indicated he had some questions about the access, etc.; therefore, he would move that this item be referred to Law and Finance Committee. His motion was seconded by Mrs. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***PA-267 BROCK'S INN - APPROVED WITH CONDITION

This was a request for approval of a dwelling unit complex consisting of 144 units, with kitchen facilities, on 4.5 acres which are under development and zoned Office and Institution-II. Variances to Section 10-2075 - group housing standards - were also requested from the Planning Commission.

CR-5481 from the Planning Commission recommended that this request be approved according to a map entitled, "Brock's Inn," the property of Brock Residence Inns, Incorporated, drawn by Envirotek, Incorporated, dated October 29, 1984, with the condition that the Board of Adjustment approve the other needed variances to the project. The Planning Commission granted the variances requested to Section 10-2075.

Mr. Calloway indicated he had requested that item be removed from the Consent Agenda pointing out that this is just east of the Episcopal Diocese and he had questions as to whether St. Alban would be extended through and tie in to this property. Planning Director Chapman explained the extension of St. Albans is to the north of this property. Mr. Calloway moved the Planning Commission's recommendation be upheld.

His motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***TC-272 - ACCESSORY USES AND PRIVATE RECREATIONAL USE STANDARDS - REFERRED TO LAW AND FINANCE COMMITTEE

CR-5482 from the Planning Commission recommended that the text change be adopted as amended and attached. The amended text change: (1) Modified the existing recreational facilities for non-profit recreation facilities to: (a) eliminate the minimum acreage requirements [10-2073(c) (27)d] and the 50-foot minimum setback lines from non-residential zoning districts; and (b) allow enclosed roofed structures to locate in these setbacks if otherwise allowed by the Code; and (c) double the setback for lighted facilities, except swimming pools which are exclusively lighted underwater; (2) applies the new setback requirements to the periphery of group housing developments, townhouse developments, cluster developments, and condominium projects with opportunity for a variance from the Planning Commission; (3) requires swimming pools greater than 4,000 square feet or with a linear dimension greater than 65 feet to obtain Board of Adjustment approval; (4) allows separated lots (such as created by a public street) to be a part of the excess open space of condominium and townhouse developments if such lots are owned by the homeowners association and adjoin by at least 50 percent of the condominium or townhouse development; and (5) corrects three erroneous code citations relating to this subject matter.

Planning Director Chapman explained the proposed text change. Chairman McNeely indicated a sub-committee of the Planning Commission worked very hard on this item and had a lot of strong input from all sides involved. He indicated the main element is to encourage the use of private recreational facilities. He indicated one problem that was not solved as the City does not have the tools to work with that is the special use nature of very large private recreational facilities; therefore, it was suggested that the Board of Adjustment be required to look at private swimming pools over certain sizes, etc. He questioned if the proposed text change is like the proposal originally referred to the Planning Commission with Mr. McNeely indicating it is not. Mr. Congleton pointed out this is a very complicated proposal and has been changed significantly since the public hearing; therefore, he would move that TC-272 be referred to the Law and Finance Committee. His motion was seconded by Mrs. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

COMMITTEES, COMMISSIONS AND BOARDS

***HISTORIC DISTRICT COMMISSION - NOMINATIONS MADE

The City Clerk reported on vacancy on the Historic District Commission due to the resignation of William H. Bingham, Jr. No nominations have been made. Mr. Congleton nominated Ms. Chris Lawton. Mr. Calloway nominated Vivian Irving. No further action was taken.

***APPEARANCE COMMISSION - JERRY TRAUB REAPPOINTED

The City Clerk reported the term of Jerry Traub expires April 21, 1985. Nominations include Mr. Traub and Carol McCormick. Nominations have not been closed. Mr. Congleton moved that nominations to the Appearance Commission be closed. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted. A ballot vote resulted as follows: McCormick - 1 (Block); Traub - 7 (Walters, Congleton, Calloway, Cates, Upchurch, Keller, Babb). The Mayor announced the reappointment of Jerry Traub.

***HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - NANCY PAAR AND MARY PAYNE APPOINTED

The Clerk reported the term of Frank Brooks expired February 1 and the term of Glover Bland expired February 6. Nominations include Nancy Paar, Mr. Brooks and Mary Payne. Nominations have not been closed. Mr. Walters moved that nominations be closed. His motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

A ballot vote resulted as follows: Nancy Paar - 6 (Babb, Congleton, Block, Calloway, Walters, Cates); Brooks - 4 (Keller, Walters, Upchurch, Cates); Payne - 6 (Babb, Congleton, Keller, Block, Calloway, Upchurch). The Mayor announced the appointments of Nancy Paar and Mary Payne to HRHRAC.

The Clerk reported the term of Peter Rumsey expires April 21 and the term of Paul Thompson expires May 15. Both are eligible for reappointment. No nominations have been made. Mr. Calloway nominated Lucille Webb. Mrs. Cates nominated Peter Rumsey. Mr. Congleton nominated David Brownlee.

***HOUSING AUTHORITY - BOARD OF DIRECTORS - SHELIA NADAR APPOINTED

The Clerk reported the term of William H. DeBrito expires April 4. He is not eligible for reappointment. Nominations include Miriam Dorsey and Shelia Nadar. Nominations have not been closed. Mr. Walters moved that nominations to the Housing Authority be closed. His motion was seconded by Mrs. Block and put to a vote which passed unanimously.

A ballot vote resulted as follows: Dorsey - 3 (Block, Upchurch, Babb); Nadar - 5 (Cates, Congleton, Keller, Walters, Calloway). The Mayor announced the appointment of Shelia Nadar to the Housing Authority Board of Directors.

***CIVIL SERVICE COMMISSION - APPOINTMENT MADE

The following terms expire May 19, 1985: At large representative - Becky Brownlee; Management or industry representative - Paul Schiller; Attorney - Clyde Holt. All have been nominated for reappointment and nominations have not been closed. Mrs. Cates moved that nominations to the Civil Services Commission be closed and the three nominees appointed by acclamation. Her motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***PLANNING COMMISSION - COUNTY APPOINTEE - MARY SMITH RECOMMENDED

It was pointed out that Clara Ballentine, a County appointee on the Planning Commission has resigned and the County has asked for a recommendation from the City. During the last meeting, Mary Smith was nominated by Mrs. Block. Mr. Calloway moved that nominations for the County appointee on the Planning Commission be closed and Mrs. Smith appointed by acclamation. His motion was seconded by Mrs. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Mr. Walters indicated he feels this action is a precedent setting action for the Council that is when future vacancies occur, the City Council would make nominations vote and send a recommendation to the Council. Mayor Upchurch indicated if someone had nominated someone else, he would have supported sending all names to the County. No further action was taken.

***FAIR HOUSING HEARING BOARD - NOMINATIONS MADE

The terms of H. B. Pickett and Robert Learoyd expire May 2. Both are eligible for reappointment and no nominations have been made. Mr. Calloway nominated Mr. Pickett. Mayor Upchurch nominated Mr. Learoyd. No further action was taken.

***GREENWAY COMMISSION - NOMINATION MADE

The Clerk reported the term of Leon Lucas expires May 19, 1985. He is eligible for reappointment and has a good attendance record. No nominations have been made. Mrs. Block and Mrs. Cates nominated Mr. Lucas. No further action was taken.

***TELECOMMUNICATIONS COMMISSION - INFORMATION RECEIVED

The Clerk reported the Chairperson position of the Telecommunications Commission is vacant. The Council agreed to hold appointment until a report is received from the City Manager. It was pointed out a report was received from the City Manager for information and he is forwarding it to the Telecommunications Commission and will present it back to the Council at the next meeting. The item was received as information.

REPORT AND RECOMMENDATION OF THE LAW AND FINANCE COMMITTEE

***COUNCIL MEMBERS - SALARY - NO CHANGE MADE

Mr. Keller indicated the Law and Finance Committee recommends that, effective December 1, 1985, the Mayor be granted, in addition to his regular salary, a $400 per month auto and expense allowance. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mrs. Babb. Mayor Upchurch indicated he will vote against this. He stated he has problems with the recommendation as he feels that if it was to be considered at all, that all City Council should have been considered for a pay increase as they all have expenses also. Mr. Walters indicated he too would vote against the increase as he does not feel that the salary should be changed. He gave a brief history of salary increases for the Mayor and Council in Raleigh pointing out prior to December 1979, the IRS would allow allocating a certain amount for out-of-pocket expenses. He stated, however, when the last increase was given, it was just made in a salary adjustment and the expense allowance or allocation done away with. He stated that all Council Members have all out-of-town expenses reimbursed in theory. He went over his expenses for the past year relating to his work on Council as well as his salary giving information on his net income for being Mayor Pro Tem or City Council member. He stated he didn't want to see the position of Mayor or City Council getting to the point of someone doing it for the money. He stated if the Council wants to make any change at all, he feels it should be for the entire Council as the Mayor has no power that other City Council members do not also have. He stated if the Mayor wants to go to all of these events, etc., that is his perogative but he does not feel that the salary should be raised.

Mrs. Cates indicated she too would vote against the increase pointing out she would vote for some increase for the Mayor but she feels this is entirely too much as it would make the Mayor make twice as much as the City Council members. Mr. Keller indicated he strongly supports the increase and went over figures for the salary of the Mayors in other cities. He stated in comparing the salary of City Council members he did not feel like that Raleigh was that much out of line with other cities but the Mayor's salary is out of line. Mr. Calloway indicated he knew that the Mayor had the option of accepting or not accepting invitations to various in-town events

but he does believe that the citizens of Raleigh expect the Mayor at a lot of these events. He stated in view of that he feels it is in order to provide some type expense account for the Mayor. Mr. Walters indicated the Mayor now receives $2,400 a year for out-of-pocket expenses as he makes that much more than Council members make. Mrs. Block pointed out she has served under five Mayors and they are all different. She stated the charter prescribe the Manager Council form of Government and by that all Council members including the Mayor have equal responsibilities. She stated the Mayor is more able to define his own role and he can do what he wants to do as far as accepting invitations, serving on committees, etc. She indicated she had suggested that since a pay adjustment has just been in effect a short time that another salary adjustment is little premature, but it were going to be considered at all, she feels that it may be looked at as the County Commissioner's pay pointing out when County employees, as a whole, get an across the board raise, then the County Commissioners are considered for the same raise. The motion as stated was put to a vote with results as follows: Ayes - Babb, Calloway, Congleton, Keller; Noes - Block, Cates, Walters, Upchurch. Since the motion did not receive five votes, the Mayor ruled the motion defeated. Mayor Upchurch pointed out in clarification, that he has not received any City subsidy for some of his out of town trips such as the one to England and the one to France.

REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

***REZONING Z-116-84 - WEST OF U.S. 1 NORTH - PLANNING COMMISSION'S RECOMMENDATION UPHELD

Mrs. Block reported the Public Works Committee recommends that the recommendation of the Planning Commission be upheld; that is, that the Industrial-I portion be extended westward to the proposed center line of Pine Knoll Drive (extended), being some 3.1 net acres, and that the remainder of the tract (some 10.45 acres) be rezoned from Residential-6 to Residential-10, all according to the map entitled, "U.S. 1 Industrial Property," drawn by LaMarr Bunn and Associates, dated November 19, 1985 (amended). It is noted, at the site plan approval stage, that the stormwater management strategies, as presented by the petitioner, will be considered further. On behalf of the Committee, Mrs. Block moved the recommendation be upheld. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 521 ZC 158

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) West of U. S. 1 North, between Mayflower Drive and Greywood Drive, opposite Buffalo Road and at the south end of Pine Knoll Drive, being portions of Parcels 28 and 29, Tax Map 438, rezoned as follows: that the Industrial-I portion be extended westward to the proposed centerline of Pine Knoll Drive (extended), being some 3.1 net acres, and that the remainder of the tract (some 10.45 acres) be rezoned to Residential-10, according to map entitled, "US 1 Industrial Property," drawn by LaMarr Bunn and Associates, dated November 19, 1984 (amended), on file in the City of Raleigh Planning Department. (Z-116-84)

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective immediately upon its adoption.

Adopted: 3/19/85

Effective: 3/19/85

***SUBDIVISIONS - PHASE LINES AND SETBACKS - REMOVED FROM THE AGENDA

Mrs. Block reported the Public Works Committee recommends removal of this item from the Agenda. She stated a public hearing has been set on the proposed ordinance revision, and the Committee has reviewed the concerns that had been presented. She indicated other concerns would be brought up at the public hearing. On behalf of the Committee, she moved the recommendation be upheld. Her motion was seconded by Mrs. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***TRAFFIC - LIGON STREET AT METHOD ROAD - NCSU TO BE REQUESTED TO PROVIDE FOR PARKING

Mrs. Block reported the Public Works Committee recommends that the Council communicate with the NCSU Chancellor requesting that the University take steps to adequately provide for parking and traffic control in the vicinity of the soccer fields when significant crowds are anticipated for soccer games. On behalf of the Committee, she

moved the recommendation be upheld. Her motion was seconded by Mrs. Cates. Mrs. Block indicated she feels that NCSU should do the same for soccer as they do football and basketball that is have extra security to help handle the traffic. She stated there is a significant increase in housing being built for this area and she understands that they have around 2,000 cars at most soccer games. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

***SIDEWALKS - WESTERN BOULEVARD BETWEEN KENT AND GORMAN STREETS - FOOT PATHS AUTHORIZED; SIDEWALK CRITERIA - HELD IN PUBLIC WORKS COMMITTEE

Mrs. Block moved that the City Council consider the item of sidewalks on Western Boulevard between Gorman Street and Kent/Method Road. She stated the item is presently in Public Works Committee but she would like to move the item out of Committee and consider it now. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. Mrs. Block moved that an asphalt foot path at an estimated cost of $15,686 be installed on Western Boulevard, south side, between Gorman Street and Kent/Method Road. Her motion was seconded by Mr. Calloway. Mrs. Block indicated she wanted to bring this forward now as many children from the housing projects walk along Western Boulevard. She stated she is recommending asphalt rather than permanent sidewalks because Western Boulevard may be widened with curbs and gutters and it would have to be removed. She stated she did not feel; however, this would be within the next ten or so years. Mrs. Block indicated they would like to leave an item in Public Works Committee to study the criteria for further sidewalks/footpath. The motion as stated was put to a vote and passed unanimously.

REPORT AND RECOMMENDATION OF THE INTERGOVERNMENTAL LIAISON COMMITTEE

***CLEAN COMMUNITY PROGRAM - CITY'S PARTICIPATION - ENDORSED; ITEM RETAINED IN COMMITTEE TO PURSUE COUNTY-WIDE SYSTEM; ADMINISTRATION TO GIVE REPORT ON ENFORCEMENT

Mr. Calloway reported the Intergovernmental Liaison Committee recommends that the City Council endorse the City's participation in the Clean Community System Program contingent upon approval in the 1985-86 budget process (estimated costs $27,500). An additional recommendation from the Committee is that the Intergovernmental Liaison Committee be authorized to pursue with Wake County the funding of the Clean Community System on a County-wide basis. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Walters. Mrs. Cates questioned if this is a one time expense - $27,500. Mayor Upchurch pointed out the initial cost is $25,000. This is the original cost and the membership fee would be 10% hereafter. He pointed out recently the Mayor's Association voted to pursue this as a County-wide program. He pointed out $25,000 is for office staff for the City, etc. Mrs. Block questioned what department it would be in with City Manager Benton indicating he did not know at this point as he had not had an opportunity to assess it.

Mrs. Block indicated she really feels that while we will be getting this in the budget and we do want a clean City that we should pursue this with the County and maybe we could share this cost with everybody in the County. Mayor Upchurch pointed out the Staff person would be someone who works with the County, businesses, schools, awareness programs, etc. Mrs. Cates indicated her problem is that we have a law on the book that isn't being enforced. She stated we are talking about cleaning up but what she had rather talk about is preventing litter explaining she has problems when laws are not being enforced. She stated at the Mayor's meeting she heard that 80% of the litter is coming from uncovered trucks. She stated she did not know if our efforts, as far as picking up litter along the roads, will do any good unless we enforce the litter laws. Mr. Keller stated he did not know what we would be getting out of participating in this program other than an educational program. He stated we already have anti-litter laws and questioned what we get for this money. Mr. Calloway indicated this includes the cost of the membership and the program, cost of a staff person to administer the program, coordinate a public awareness program, work with schools, other public bodies, etc., coordinate the work force for picking up the litter, etc. Mayor Upchurch pointed out the enforcement of out anti-litter ordinance requires everyone to participate, that is if you see someone throwing something out of the window of a car then you should, report it and bring charges with Mrs. Cates pointing out she feels that citizens may do that if they knew whom to call. She stated she just does not see any evidence that the law is being enforced now stating that she would like to have a report on how many people have been caught and convicted of littering. Mr. Walters explained the problems of uncovered trucks pointing out he has reported uncovered trucks and something has been done. He stated maybe with an awareness program people would get the license number of violators and report it. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

***URBAN TREE PROGRAM - VARIOUS ACTIONS TAKEN

Mr. Calloway reported the Intergovernmental Liaison Committee has reviewed and recommended to the Council the endorsement of Administration's recommendations on the Urban Tree Program. The Committee had also held the item in Committee to consider the response of the Urban Tree Task Force to Administration's recommendations. The Committee makes the following recommendations in response to those comments:

(1) The Committee endorses Administration's recommendation on the recommended pay range for the Urban Forester position ($17,729 - $24,947).

(2) The Committee recommends that the possibility of hiring a consultant to assist in the development of an urban tree inventory and development of standards and guidelines to be referred to Administration for a report back to the Committee.

(3) The Committee recommends that consideration of the assignment of the advisory responsibility for the Urban Tree Program be held in Committee.

On behalf of the Intergovernmental Liaison, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

***TRIANGLE J COG - MEMBERSHIP FEE - COG REQUESTED TO CONSIDER OTHER CRITERIA; MEMBERSHIP IN TRIANGLE J COG - REFERRED TO THE LAW AND FINANCE COMMITTEE

Mr. Calloway indicated the Intergovernmental Liaison Committee's recommendation on the membership fee in Triangle J COG was divided into two parts as follows: The Committee recommends removal of the item relating to the revision of the basis for calculating annual dues by use of annual population estimates from the State rather than relying on the Federal census with no action. The Committee was advised this has already been acted upon by COG. The Committee recommends that COG be requested to consider other criteria for the allocation of dues.

On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Mr. Walters. Mrs. Babb questioned if we are just going along with the fee or why the Committee is just recommending that it be removed. Mr. Walters pointed out the bylaws have already been changed as enough cities had supported the change. Mrs. Babb indicated in her opinion, the implications of this fee is bad and she is very opposed to the way the fee is levied. She stated during budget deliberations last year Council questioned the amount of fees and benefits received from COG. She stated she feels that this amount of money could possibly better be used in our Planning Department. After brief discussion, the motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

Mrs. Babb moved that we refer to the Law and Finance Committee the whole issue of the City of Raleigh's membership in COG, evaluate that, fees, value received, method of calculating of fees. Her motion was seconded by Mrs. Block. Mrs. Cates indicated she would vote for the motion but she would like for the Law and Finance Committee to consider the value of Triangle J COG regional planning as it relates to the City of Raleigh. Mr. Walters indicated he feels the Committee should get all the information and study the intangibles that the City gets from COG pointing out he disagrees that it is not worth the membership fee we have to pay. Mrs. Babb stated, in her opinion, the small units of government get more benefit from COG than the larger units of government. The motion as stated was put to a vote and passed unanimously.

***SPECIAL USE PERMIT ISSUANCE - LOUISBURG ROAD AREA - REMOVED FROM THE AGENDA

Mr. Calloway reported the Intergovernmental Liaison Committee recommends removal of this item from the Agenda with no action taken. He stated the Committee discussed this item with the Wake County Commissioners and they agreed they would inform the Council of any permit requested in this immediate area. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***FEDERAL FUNDS - PROPOSED BUDGET CUTS - LETTER AUTHORIZED

Mr. Calloway indicated Council members received in their Agenda packet a proposed revised letter relating to proposed federal budget cuts. He stated this item came about as a recommendation of the Transit Authority on the proposed cuts in Transit funds. On behalf of the Committee, Mr. Calloway moved that this letter be forwarded to President Reagan, Senators East and Helms and Congressman Coby. His motion was seconded by Mr. Walters. Mr. Calloway indicated when the Committee studied the letter formulated by the Transit Authority, the Committee felt it was better to include the three areas of concern rather than just UMTA. He stated the letter is appealing cuts in UMTA, revenue sharing and community development. Mr. Walters indicated he did second the motion but passed a new version of the letter he would like to send. Discussion took place on the three drafts of the letter with Mrs. Babb indicating the only problem she has with Mr. Walters' draft is the line that indicates "...we are eager". She stated that appears a little too friendly. Possibility of leaving reference to the Military budget and Social Security budget out of the letter was discussed but decided against. After other discussion, it was agreed to amend the motion to state that the Mayor would combine the three letters as he saw fit and forward the letters as recommended by the Intergovernmental Liaison Committee. The amended motion was put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***ANNEXATION - VARIOUS HEARINGS SET

Chairman Calloway reported the Intergovernmental Committee recommends removal of the items relating to the satellite annexation of West Lake Village and The Meadows of Eagle Chase from the Committee's Agenda as the Council has directed that a public hearing be held on these two annexation areas. He stated the Committee further recommends that the City Clerk be directed to check the sufficiency of the satellite

annexation petition of Kingsborough Estates, and if sufficient, that a public hearing be set. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

***SURPLUS PROPERTY - ADJACENT TO LOT 13 WRENTREE PLACE - AUTHORIZED FOR SALE

Chairman Walters reported the Real Estate Committee recommends that the City owned surplus lots located on the cul-de-sac of Wrentree Place in Idlewood Village section one, adjacent to Lot 13, be authorized for sale at a minimum bid of $500 per lot. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Walters and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

***SOUTHSIDE URBAN RENEWAL PROPERTY - TRACT "M" - ENCROACHMENT AUTHORIZED

Mr. Walters reported the Real Estate Committee recommends approval be granted on the revised site plan of the Chamber of Commerce tract "M" which allows encroachment into the 30 foot perimeter buffer required by the City in the sale with such encroachment being as shown on a site plan submitted to the Real Estate Committee. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***THOROUGHFARE CONFLICT - 3026 NORTH BOULEVARD - PERMIT DENIED; ADMINISTRATION TO PROCEED WITH ACQUISITION

Mr. Walters reported the Real Estate Committee recommends a permit for an additional building at 3026 North Boulevard be denied and Administration be authorized to proceed toward the acquisition of property required for the realignment of Trawick Road with U.S. Highway 1 North. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***COMMUNITY DEVELOPMENT - VARIOUS ACTIONS - AUTHORIZED

Mr. Walters reported the Real Estate Committee recommends the following items:

(a) The reimbursement of compensation to the property owner at 7-9 Bladen Street in the amount of $997.30 for right of way acquired in the construction of Bladen Street.

(b) The right of way area for street improvements be increased from 219.27 square feet to 510.08 square feet with an increase of value for the right of way acquisition from $192.34 to $550.00 on property at 327 South Haywood Street for the widening of East Davie Street.

(c) The fair market disposition values on the following parcels:

1.	116 South Haywood Street	$33,250.00
2.	112 South Haywood Street	$33,500.00
3.	113 South Haywood Street	$33,250.00
4.	117 South Haywood Street	$33,250.00

On behalf of the Committee, Mr. Walters moved the recommendations be upheld. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

***BOND SALE - PARKING DECK FACILITY - RESOLUTION ESTABLISHING INTEREST - ADOPTED

City Manager Benton indicated Council members received in their Agenda packet information on the bond sale of March 12, 1985. He indicated the interest is as follows: Bonds payable in each of the years 1986-1993 inclusive - 8.30% per annum and bonds payable in the years 1994-2002 - 8.40% per annum. He indicated the bonds were purchased by a local bank - NCNB. Mr. Walters moved adoption of the resolution as outlined. His motion was seconded by Mrs. Cates and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1985) 746

WHEREAS, the Local Government Commission of North Carolina has informed the City Council of the City of Raleigh that it has sold in the manner prescribed by law the City's $4,190,000 Parking Facilities Bonds, dated April 1, 1985, and that the contract of sale contemplates that the bonds shall bear interest as hereinafter provided; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Raleigh as follows:

1. The Bonds hereinbefore described shall bear interest as follows:

Bonds payable in each of the years, 1986 to 1993, inclusive, 8.30% per annum, and
Bonds payable in each of the years 1994 to 2002, inclusive, 8.40% per annum.

2. This resolution shall become effective upon its adoption.

***COMMUNITY DEVELOPMENT PROGRAM - AUDIT EXCEPTION - FUNDS APPROPRIATED

In 1983, the City demolished two structures under the Community Development Program. At that time, the City acted on the premise that HUD had previously approved this work under a multi-year environmental review which had been made. Payments for the demolitions were made on August 2, 1983, and October 5, 1983. The Environment Review Release on these two sites was received from HUD on October 6, 1983. Based on these events, it is concluded by HUD that the City expended the funds before receiving all approvals from HUD. Therefore, the City must reimburse the Community Development budget in the amount of $1,650 which is the cost of the two demolitions involved.

Recommendation: That the following transfer be approved to satisfy the HUD requirements:

Transferred From:		
34-2-1000-0100	Council Reserve Revenue Sharing	$ 1,650.00
Transferred To:		
43-2-5050-0100	Econ. Dev. Community Development	$ 1,650.00

Mr. Calloway moved the recommendation be upheld. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 517 TF 18.

***CEMETERY GRAVE MARKERS - IN CITY OWNED CEMETERIES - CODE AMENDED

The City Code, Section 9-4004(c) requires that all grave markers be placed on ground level and be "flush" with the ground. This facilitates maintenance of the cemeteries. A situation has developed where an existing plot has grave markers which project above ground and were installed prior to the above-noted Code requirement. In this situation, the family wants to install a grave marker consistent with the other markers already on the plot. such is not allowed by the City Code.

In reviewing this situation, it may be appropriate to consider allowing above-ground level markers on plots which already have such markers.

Recommendation: That Section 9-4004 of the City Code be amended by adding the following:

(d) The Parks Superintendent may authorize exceptions to the requirement of Section 9-4004(c) when necessary to allow for the use of similar grave markers for members of the same family in the same plot.

Mrs. Block questioned how many grave markers would be involved with Parks Director Ron Tietgen indicating it would only be a small number. He stated this is the first time it has come up in five years. Mrs. Block moved approval of Administration's recommendation. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 522

AN ORDINANCE TO AMEND CHAPTER 9 OF THE CODE OF THE CITY OF RALEIGH

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 9-4004 of the City Code be amended by adding the following:

"(d) The Parks Superintendent may authorize exceptions to the requirement of Section 9-4004(c) when necessary to allow for the use of similar grave markers for members of the same family in the same plot."

Section 2. That all laws and portions of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective upon its adoption.

Adopted: 3/19/85

Effective: 3/19/85

***SOUTHSIDE DAM WARNING SYSTEM - CONTRACTS WITH CP&L - APPROVED

As part of the efforts to upgrade the City-owned dams south of the City, the City is required to install a warning system. This system has been installed and it is now necessary to enter into an agreement with CP&L for providing permanent, unmetered service. The cost for the eighteen (18) sirens in the warning system is approximately $9,903.37. This is a one-time cost and funds are budgeted for this activity.

Recommendation: That the Council approve execution of contracts with CP&L to provide electric service to the flood alert sirens. Mrs. Cates moved Administration's recommendation be upheld. Her motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

***LAWSUIT - CITY ATTORNEY AUTHORIZED TO PREPARE CONSENT JUDGMENT

City Attorney McCormick indicated the City is involved in a lawsuit which arose out of an accident at the bus garage. He explained the City's liability insurance company denies any liability as the accident occurred during work on a motor vehicle. He stated the City does have additional insurance. He pointed out the City's general liability carrier has filed a declaratory judgment and at this point he would recommend he be authorized to prepared a consent judgment in which the City agrees that its general liability coverage does not cover this particular accident. Brief discussion took place on the amount of insurance we have after which Mrs. Cates moved the Attorney's recommendation be upheld. Her motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

***LAWSUIT - OFFER OF SETTLEMENT - ACCEPTED

City Attorney McCormick indicated sometime back an automobile accident occurred in which a City truck lost control due to a mechanical failure, and hit a fire hydrant. He stated the amount of damage incurred was $3,001.94 pointing out this was the City's cost. He indicated the suit involves repairs to the vehicle and the fire hydrant. He stated International Harvester has offered $2,251.46 as settlement in the case and he would recommend that the City Council agree to that amount of reimbursement. Mrs. Block moved the Attorney's recommendation be upheld. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT OF MAYOR AND COUNCIL MEMBERS

***TRAFFIC - GREAT AMERICAN INSURANCE COMPANY AREA AND TRAFFIC SIGNAL AT THE INTER-OF GRANVILLE DRIVE - REFERRED TO ADMINISTRATION

Mayor Upchurch indicated he has received some concerns relative to the Great American Insurance Company which has been constructed on Glenwood Avenue. He indicated the concerns voiced are that possibly the building was constructed without sufficient parking for the square footage involved. He stated he had also been told that the Police Department is giving people privilege to park on the streets surrounding the area. He stated he had also been contacted by residents in the Granville Drive area questioning if the traffic light at that intersection was not installed in the wrong location. Without discussion, the items were referred to Administration.

***ECONOMIC DEVELOPMENT NEWSLETTER - AUTHORIZED

Mayor Upchurch indicated he had suggested the possibility of an Economic Development Newsletter for southeast Raleigh - that is putting out a quarterly newspaper and getting it into the hands of the business community. He stated the newsletter would focus on Economic Development of the southeast, zoning in that area, properties available, etc. He stated the letter would be sent out by the Planning Department.

***YOUTH COUNCIL - MINUTES - REFERRED TO LAW AND FINANCE COMMITTEE

Mayor Upchurch indicated he had received a copy of the minutes of the Youth Council meeting and without objection, would like to refer these to the Law and Finance Committee to analyze and make any recommendation back to the Council. Without objection, the item was so referred.

***CAPITOL HOUSING - LOBBYIST AUTHORIZED; FUNDS APPROPRIATED FOR LOBBYING EFFORTS

Mayor Upchurch indicated discussion has taken place about the need to push for the capitol housing. He indicated he would like to ask Al Adams to assist us and he has indicated he would be willing to lobby for the City without pay. Mrs. Block moved that the City request Mr. Adams to serve as a lobbyist at that gracious fee. Her motion was seconded by Mrs. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Mr. Congleton questioned if that would give the Mayor an opportunity to involve Mr. Adams or to employee lobbyist if necessary pointing out things will probably be

moving very rapidly. Mayor Upchurch suggested the possibility that the City Attorney, City Manager and himself be given some latitude with City Manager Benton suggesting that maybe the Council would want to set aside some monies for lobbying if needed. Mr. Congleton moved that the City Council set aside $5,000 from City Council contingency to be used at the discretion of the Manager, Attorney and Mayor as it relates to our lobbying efforts. His motion was seconded by Mrs. Cates and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 523 TF 19

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 19, 1984, and included in the budget for the fiscal year ending June 30, 1985, be transferred from one account as permitted and authorized by the General Statutes of North Carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-0001	Contingency	$ 5,000.00
To 01-2-1100-0265	Other Services	5,000.00

Purpose: To fund lobby efforts as needed.

***PARK LIGHTS - PILOT MILLS PARK - ADMINISTRATION TO CHECK

Mayor Upchurch indicated he would like to ask the Parks and Recreation Administration to look at what could be done about the lights at Pilot Mills Park. He stated he was contacted about this and went out and looked and it is a very nice park, but the lights need fixing. He stated he would like to see about the possibility of having the lights fixed so that other people could utilize this field. He explained presently a Boy Scout Troop had been using this park. Mr. Walters indicated the lights had been condemned and we need to get the lights put back in. He stated if the field were lighted, we could bring others in to utilize this field. City Manager Benton indicated he would be glad to look at it and give the Council a cost estimate. Mrs. Cates questioned if this would go before the Parks and Recreation Advisory Board as she felt that we should keep them abreast of any recommendations. Without objection, the item was referred to Administration.

***NORTH CAROLINA CLEAN PROGRAM - REFERRED TO APPEARANCE COMMISSION

Mayor Upchurch indicated he had received some information from Mrs. Dottie Martin, the Governor's wife, relative to the North Carolina Clean Program. He stated he will be picking up Iron Eyes Cody, the Crying Indian, who is coming to North Carolina to help kick off the clean up effort. Without discussion, the item was referred to the Appearance Commission.

***DEVELOPMENT COMMUNITY - USE OF PUBLIC STREETS - REFERRED TO LAW AND FINANCE COMMITTEE

Mr. Congleton indicated he has received complaints about the development of subdivisions and other projects that are utilizing the public streets and bringing dust, mud and other debris onto the streets. He indicated one particular incident is a project that is utilizing Harp Mill Road as ingress to the construction site. He stated possibly we should look at the development of some type ordinance requiring construction equipment to utilize construction roads if they are available. He stated he would like to request that this item be referred to the Law and Finance Committee and ask Staff to work with the development community to get their input and come up with something to make sure that the existing ordinances are abided by or if new ordinances are needed. Without objection, the item was referred to Law and Finance Committee.

***CARROLL SCHOOL - LIGHTING - ADMINISTRATION TO PURSUE

Mr. Congleton asked about the status of lighting the track at Carroll Middle School. City Manager Benton indicated the Staff is working on that pointing out Staff has identified some of the costs and are approaching the school system. Mr. Congleton indicated he would like to see this move forward as soon as possible.

***ZONING - CONDITIONAL USE - ADMINISTRATION ASK TO MOVE FORWARD

Mr. Congleton asked where we are in preparing the ordinances so that we could move forward as soon as possible if we get the enabling legislation for conditional use zoning. City Attorney McCormick indicated his staff has done some preliminary work on that with Mr. Congleton indicating he would ask Staff to move post haste so that we could proceed with adoption of local ordinances as soon as the enabling legislation for conditional use zoning is approved.

***TEMPLE DRIVE - COMPLAINTS - REFERRED TO ADMINISTRATION

Mr. Congleton indicated Council Members received a copy of a letter to the Mayor about Temple Drive. He questioned if Administration has looked at the problems on Temple Drive. City Manager Benton indicated Staff has looked at it and he thinks that some patching work has been done and hopefully the drainage problems would be corrected in the summer.

***TREE REGULATIONS ON PRIVATE PROPERTY - CITY ATTORNEY TO SEEK ENABLING LEGISLATION

Mr. Keller reported on February 19 an item was referred to the Law and Finance Committee relating to the passage of enabling legislation providing for the potential of tree regulation on private property by the City. He indicated this item is now Item 101 on the Law and Finance Committee Agenda. Because of time restraints imposed the legislative deadline for local bills, the Law and Finance Committee will be unable to consider the proposal in time for Council action. Because of the problem posed by the time constraint, Mr. Keller moved that the Council withdraw Item 101 from the Law and Finance Committee for immediate consideration by the Council. His motion was seconded by Mrs. Babb and put to a vote which passed unanimously. Mr. Keller indicated what is being proposed is asking for enabling legislation to regulate trees on private property. He stated he strongly opposes any regulations relative to trees on private property but has no objection to the City getting the enabling legislation. Therefore, he would move that this item be referred to the City Attorney to ask for enabling legislation. His motion was seconded by Mrs. Babb. She stated in seconding the motion that support for the enabling legislation does not mean support for any particular piece of local legislation. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

***DRAINAGE PROBLEM - BRIGHTON ROAD - REFERRED TO ADMINISTRATION

Mr. Walters indicated there is a drainage problem on Brighton Road that he would like for Administration to look at. Without objection, the item was so referred.

***STREET LIGHT - LORD BERKLEY DRIVE - REFERRED TO ADMINISTRATION

Mr. Walters asked Administration to look at the problem with the first street light on Lord Berkley Drive pointing out its out and has been out for some time. He indicated two elderly retired people live at this location and they need the light in working order. Without discussion, the item was referred to Administration.

***CAT ROUTE - INGRAM DRIVE - COMMENTS RECEIVED

Mr. Walters indicated he had received a letter from J. D. Groom indicating a number of residents are opposed to the elimination of the CAT route from Ingram Drive as a feel it needs to be there. The comments were received.

***CONSERVATION/BUFFER - STAKING - REFERRED TO PUBLIC WORKS COMMITTEE

Mrs. Cates indicated when the City passed TC-270 it had a requirement calling for the staking of Conservation/buffer lands that is staking during the construction period, etc. She stated she feels that this should apply to the whole City and she would like to refer that to the Public Works Committee for consideration. Without objection, the item was so referred.

***CITY EMPLOYEES - WORK SCHEDULES - COMMENTS RECEIVED

Mrs. Cates indicated she had concerns about the format of work schedules for City employees. She pointed out she had had some complaints about City employees sitting in their motor vehicles and waiting, it seems, for instructions as to what to do. She stated she had been told by a particular resident that on a three occasions, City employees came out and sat in their motor vehicle with it running for over an hour at the time and then left. She questioned if our trucks are equipped with telephones or radios so that employees can communicate with their supervisors. She questioned what accounts for some these delays and how we can eliminate employees waiting for further instructions. The comments were referred to Administration.

***PARADE ROUTES/ROAD RACES - POSSIBILITY OF FIXED ROUTE - REFERRED TO PUBLIC WORKS COMMITTEE

Mrs. Cates indicated there had been a suggestion recently about the possibility of having a fixed parade route and she believes there is some merit to this possibility that is having one or two routes that parades and road races could be held on and this would be the only ones that would be utilized for that purpose. After brief discussion, the matter of having a fixed parade route/road race route was referred to Public Works Committee.

***AGENDA - REQUEST AND PETITIONS OF CITIZENS - COMMENTS RECEIVED

Mrs. Block indicated she was somewhat concerned in that a lot of time was taken today receiving a presentation from Interact, Inc., pleading their case for continual funding. She stated maybe the Council could direct the City Clerk that when someone comes in on the same subject and they have had an opportunity to present their case once, that they not be placed on the Agenda again. This was discussed, however, no action was taken.

***PAY STUDY - POSSIBILITY OF UPDATING - REFERRED TO THE CITY MANAGER

Mrs. Block indicated in view of the many recent resignations and several requests from the City Manager for adjustment in pay scale, that perhaps our PAS Study could be upgraded. She stated she would like to refer this to the City Manager for his recommendation. Without objection, the item was referred.

REPORT AND RECOMMENDATION OF THE CITY CLERK

***MINUTES - MARCH 5 - APPROVED AS AMENDED

The City Clerk presented the minutes of the March 5, 1985 Council meeting. Mrs. Block indicated the name of Miriam Dorsey was incorrectly spelled. Mrs. Cates pointed out on Page 23 of the minutes in the report of the RCAC the word "help" should be "health". Mrs. Cates indicated also on Page 37 the item relating to zoning - intensity standards that the minutes indicate that Mrs. Block asked that it be referred to Public Works Committee. She stated actually she had requested that it be referred to Public Works Committee. Mrs. Cates indicated another item on Page 37 relates to litter. She stated she would like to clarify that she was talking about prevention of litter rather than just cleaning up litter. Mrs. Cates stated with those corrections and clarifications she would move approval of the minutes. Her motion was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***ASSESSMENT ROLL 690 - ATLANTIC AVENUE - RESOLUTION SETTING PUBLIC HEARING ADOPTED

Preliminary Paving Assessment Roll 690 was presented. This preliminary resolution confirms costs for street improvements on Atlantic Avenue. Adoption of the preliminary assessment roll is recommended which would set a public hearing to consider confirmation of the charges at the April 16, 1985 Council Meeting.

Mr. Congleton moved adoption of the Preliminary Assessment Roll as recommended. His motion was seconded by Mrs. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

RESOLUTION NO. (9185) 747

RESOLUTION DECLARING COST AND PRELIMINARY ASSESSMENT ROLL

PAVING ASSESSMENT ROLL NO. 690
Powell Fund

WHEREAS, by Resolution No. 1983-306 adopted by the City Council on August 2, 1983 the local improvements hereinafter referred to were authorized and directed pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, and Section 105 of Chapter 1184, Session Laws of North Carolina of 1949, as amended, as applicable; and

WHEREAS, the local improvements have been completed an it is the duty of the City Council to make an assessment of the cost thereof against the property abutting the improvement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the local improvements described as follows have been completed:

Installation of curbs, gutters, drains, and paving 53 feet back-to-back on Atlantic Avenue from the existing pavement south of the Beltline, northward approximately parallel with the Seaboard Railroad within the western edge of the property at Highwoods Subdivision, the centerline coincides with the boundary line between Trenholm Properties and John A. Adams to a curve that will tie into Winton Road, approximately 300 feet north of the existing south end of Winton Road.

Section 2. That the cost of the above described improvements, exclusive of so much of the total cost as was incurred at street intersections, has been computed and determined and is hereby declared to be $190,498.50.

Section 3. That the City Council hereby makes an assessment of the cost of the local improvements herein referred to, pursuant to Article 10 of Chapter 160A, General Statutes of North Carolina, against the lots and parcels of land abutting directly on the improvement. The basis for the assessment is front footage.

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	FRONTAGE	TOTAL STREET ASSESSMENT	DRIVEWAY REPLACEMENT COST	TOTAL ASSESSMENT
Naomi L. Allen	1	0045587	417.74	12,532.20		12,532.20
Occoneechee Council of Boy Scouts of America, Inc.	2	0136750	1,513.01	45,390.30		45,390.30

OWNERS ASSESSED	LOT NO.	PROPERTY I.D. NO.	FRONTAGE	TOTAL STREET ASSESSMENT	DRIVEWAY REPLACEMENT COST	TOTAL ASSESSMENT
The Adams Bilt Company	3	0000132	688.58	20,657.40		20,657.40
Naomi L. Allen	4	0045587	395.21	11,856.30		11,856.30
City of Raleigh, NC	5	0102435	629.23	18,876.90		18,876.90
Solomon McCullers, Heirs	6	0045597	120.37	3,611.10		2,611.10
Highwoods South Company	7	0003364	395.81	11,874.30		11,874.30
Highwoods Company	8	0003363	922.36	27,670.80		27,670.80
Highwoods Company	9	0003363	577.83	17,334.90		17,334.90
Highwoods Company	10	0016426	689.81	20,694.30		20,694.30

Section 4. That the terms and manner of payment of assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten (10) equal installments, such installments to bear interest at the rate of six percent (6%) per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 5. That this Assessment Roll No. 690 is hereby ordered filed in the office of the City Clerk and Treasurer of the City of Raleigh for public inspection.

Section 6. That a public hearing will be held on the 16th day of April, 1985, at 1:00 p.m. in the Council Chamber, Municipal Building in the City of Raleigh, North Carolina (or at such other time and place to which the meeting of the City Council may be adjourned) for the purpose of hearing all interested persons in respect to the special assessments made by this resolution; and the City Clerk and Treasurer is hereby directed to cause to be published a notice of the completion of said assessment roll and notice of said meeting, and to mail to each owner of the property herein assessed a copy of this resolution.

Section 7. That the assessment made by this resolution is subject to confirmation as provided by Article 10 of Chapter 160A, General Statutes of North Carolina.

Adopted: 3/19/85

***SURPLUS PROPERTY - TRACTS K-1 and K-2 - RESOLUTION ADOPTED

During the February 19, 1985 Council Meeting, it was recommended that Tracts K-1 and K-2 (approximately 6.1 acres) be sold through the negotiated offer, upset bid procedure. All procedures have been followed and it is recommended that a resolution be adopted authorizing the sale of property to Carolina Power and Light Company for $1.80 per square foot under conditions outlined.

Mr. Congleton moved approval as recommended. His motion was seconded by Mrs. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

RESOLUTION NO. 1985-748

A RESOLUTION TO AUTHORIZE THE SALE OF REAL PROPERTY OWNED BY THE CITY OF RALEIGH

WHEREAS, the City of Raleigh owns property known as tracts K-1 and K-2 - Southside Urban Renewal Land;

WHEREAS, Carolina Power and Light Company has offered to purchase said property for $1.80 per square foot; and,

WHEREAS, Carolina Power and Light Company has agreed to terms of sale outlined by the City Council during the February 19, 1985 Council Meeting; and,

WHEREAS, Chapter 160A-266 et seq. of the North Carolina General Statutes permits the City of Raleigh to sell said property subject to upset bid provision;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the City of Raleigh will sale the hereinbefore described property to Carolina Power and Light Company for the sum of $1.80 per square foot with the conditions outlined in the February 19, 1985 Council meeting.

Section 2. That the Mayor be authorized to execute the proper instrument of conveyance.

***ANNEXATION - RALEIGH TOWNHOMES - REFERRED TO THE CITY CLERK

The City Clerk indicated she had received a petition for the contiguous annexation of property known as Raleigh Townhouses on U.S. 401 North. The next step, if the Council so desires, would be direct the Clerk to check the sufficiency of the petition and if found sufficient schedule a public hearing. Mrs. Babb moved that the Clerk be directed to check the sufficiency and schedule the appropriate hearing. Her motion was seconded by Mr. Congleton and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

***ADJOURNMENT

There being no further business, the meeting adjourned at 4:45 p.m.

Gail G. Smith
City Clerk

cmc/IBM/1/IBMIRD